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Steven Mitchell/Blue Mountain Eagle
Tyler Smith, a former Grant County sheriff's deputy accused of attempted rape and other crimes, appears in Grant County Circuit Court April 20, 2022. Smith's attorneys made a motion to dismiss the case after the prosecution submitted 300 pages of evidence late in the discovery process.

Smith's day in court

Attorneys for former deputy fire back at prosecution's case



Bunch



Carpenter



Komning



Palmer



Olson

By STEVEN MITCHELL
Blue Mountain Eagle

A Circuit Court hearing on a motion to dismiss criminal charges against a former Grant County sheriff's deputy accused of assault, attempted rape and child neglect got underway on April 20, with defense attorneys claiming that prosecutors had been withholding crucial evidence that could clear their client of any wrongdoing.

The trial of Tyler Smith, slated to begin in late October, was abruptly put on hold to give defense attorneys time to sift through hundreds of pages of discovery materials filed just one day earlier by the prosecution.

Those materials consisted mostly of internal documents and reports from the Grant County Sheriff's Office, which fired Smith in December 2019, three months after his arrest on the charges in this case. There were also two recorded interviews with Smith's accuser, including one in which she acknowledged placing a tracking device on Smith's vehicle and keeping the Grant County Sheriff's Office informed of his whereabouts.

Andrew Coit, one of Smith's attorneys, said the prosecution had committed an egregious violation of the Brady Rule, which requires exculpatory evidence — information that could acquit a defendant in a criminal case — to be turned over to the defense by the government.

The Brady Rule is named after the 1963 U.S. Supreme Court case *Brady v. Maryland*.

In a motion to dismiss with prejudice filed with Grant County Circuit Court on April 29, Coit argued the prosecution had suppressed evidence favorable to the defense for nearly two and half years.

Jamie Kimberly, an assistant Oregon attorney general acting as a special prosecutor in the case, said prosecutors were unaware of the October dump of discovery materials until the

last minute.

She said she had only become aware of the recordings after reviewing the defense's witness list. She said as soon as she found out about the taped interviews, she retrieved them from Grant County Sheriff's Sgt. Danny Komning the day before the trial was set to begin.

All along, however, the prosecution has argued that Smith's personnel file and items related to it are not relevant to the case since the Oregon State Police, not the Grant County Sheriff's Office, investigated the criminal allegations.

How we got here

Smith was arrested on charges of attempted rape, fourth-degree assault and child neglect on Sept. 9, 2019, and then fired by the Grant County Sheriff's Office on Dec. 17, 2019, several months before having an opportunity to enter a not guilty plea on April 30, 2020.

Smith maintains that the criminal charges against him were part of a plan by former Grant County Sheriff Glenn Palmer, Undersheriff Zach Mobley, Mobley's wife, Abigail, and Komning, her older brother, to have him removed from the Sheriff's Office and get him arrested.

That plan, Smith asserts, was in retaliation for allegations Smith made to the Oregon Department of Justice on July 31, 2019, that Abigail Mobley had used illegal drugs and had a sexual relationship with an inmate incarcerated for drug crimes while she was a jail deputy with the Grant County Sheriff's Office.

Smith also argues that his accuser was a close friend of the Mobeys and Komning.

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Greenhouse posts \$122K loss

City may turn over facility to private managers

By JUSTIN DAVIS
Blue Mountain Eagle

JOHN DAY — After losing \$122,000, the city-owned greenhouse in John Day could soon be under new management.

City Manager Nick Green said he plans to propose that a private corporation run the greenhouse at the Tuesday, May 10, City Council meeting. Green declined to disclose the name of the company at this point but said that information will be made public at the meeting. The greenhouse cost the city



Justin Davis/Blue Mountain Eagle

The city-owned greenhouse in John Day on April 20, 2022.

\$155,000 to operate in fiscal year 2020-21 and produced \$33,000 in revenue. Green said the coronavirus pandemic put a lot of the plans

the city had for the greenhouse on hold, contributing to the \$122,000 deficit for the fiscal year.

There are currently no plans

to recover the funds lost on the greenhouse to date, but Green said the greenhouse played an integral part in securing some of the grant funding for the city's planned \$17.5 million wastewater treatment plant.

"It was a proof of concept to show that we could grow hydroponic crops in the valley," Green said. "And (as a) result of having that and having economic value-added traded-sector industry that can benefit from the reclaimed water, we gained about \$6 million in grants for the water treatment plant."

When asked if the greenhouse is a failure, Green said he doesn't see it that way at all.

"Next month we'll be announcing the \$3 million award for the reclaimed water system, which is going to give us all the purple pipe and the storage capability to provide water to the greenhouse, golf course, Malheur Lumber and our parks," he said. "I'm not counting that with the \$6 million we've already gotten. This is \$3 million on top of that."

Green said the firm taking over the greenhouse will benefit from the purple pipe and water treatment facilities as well as provide private sector jobs and sell produce locally.

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Wynonna to headline Grant County Fair

By STEVEN MITCHELL
Blue Mountain Eagle

JOHN DAY — Award-winning country music singer Wynonna Judd will headline this year's Grant County Fair Aug. 12.

Kicking off the concert will be Eddie Gentry of Montgomery Gentry.

Mindy Winegar, the Grant County Fairgrounds manager, said the gates open at 6 p.m.

Winegar said advance tickets, which cover the cost of entry to both the fair and concert, are on sale now at grantcountyoregon.net.

The early bird price for adults is \$45 or \$50 the day of the show, while kids 12 and under can get into the fair and concert for \$15. Dry camping spots are available for \$10 at the Boondock Campground across the street from the outdoor



Contributed Photo

Wynonna Judd, award-winning female country singer, will headline the Grant County Fair's Stars, Stripes and Summer Nights concert at the fairgrounds outdoor arena Aug. 12.

arena on Northwest Third Street in John Day.

"It's a great deal," Winegar said, "and good entertainment."

This year's fair will run Friday-Sunday, Aug. 12-14.

Winegar said that besides the bouncy house, the mechanical bull

and rock-climbing wall, the fair has added new attractions. One that she said she is excited about is the trampoline show on Friday, Saturday and Sunday.

The acrobatic trampoline shows are popular at NBA and NFL events and major festivals, Winegar said the athletes would have 14-foot wall they jump over and will be at the center of the fairgrounds.

"It will be so awesome," she said.

Longtime fairgrounds employee Dusty Williams booked the performers, known as Flippen Out Productions, Winegar said.

Winegar said the fairgrounds would have security officers on Friday and Saturday for crowd control and to prevent underage drinking.

Winegar said the security company has previously worked with the Grant County Sheriff's Office.

She said some of the deputies have worked with the company.

Winegar said the security officers would check bags on Friday and Saturday during the peak events, including the concert and Hamsheer Fighting Bulls show, to ensure no outside alcohol or weapons are brought into the event.

Wynonna Judd

With her mother, Naomi, Wynonna Judd formed the Judds in the 1980s and became one of the best-selling country artists of all time.

Naomi Judd died Saturday, April 30, less than a month after the duo's last performance and a day before the group's induction into the Country Music Hall of Fame.

Winegar said everyone at the fairgrounds sends their condolences to the Judd family.

