

STATE OF SAN ANDREAS,
The People vs Ollie Smith

MOTION TO AMEND CHARGES

COMES NOW the Defendant, Ollie Smith by and through counsel, and respectfully moves this Honourable Court to amend the current charges in this case. Specifically, Defendant requests that the Court amend the charges from:

- First Degree Murder [PP, SOL] x2
- Impersonation of a Peace Officer x1

to:

- Criminal Threats [PP] x2
- Theft [PP] x1

I. FACTUAL BACKGROUND

The charges stem from two impulsive tweets made by the Defendant while he was emotionally agitated and in custody following an interaction with Officers Kyle Right and Max Callahan. The tweets read:

“150k Bounty on kyle Right must be daed in order to claim the bounty.”
“Change of plan. 250k for both Kyle & Callahan dead in my possession.”

These statements were made while the Defendant was in a heightened emotional state and lack any credible indication of intent or capacity to follow through. The Defendant neither possesses nor has access to the funds mentioned and did not communicate with or attempt to solicit any person to commit an act of violence.

Subpoenaed bank and phone records from the date in question conclusively demonstrate **no efforts to coordinate**, fund or facilitate a murder, directly or indirectly.

Regarding the second charge, the Defendant did wear a stolen police uniform; however, he **never represented himself as a law enforcement officer**, nor did he utilise a police vehicle. At the time of arrest, the Defendant was wearing a conspicuously non-police issued vest labeled “TKY” over the uniform, and he was operating a civilian vehicle (a Manchez motorcycle purchased from PDM). Photographic evidence, including his mugshot, confirm that the Defendant’s appearance was clearly not intended to deceive the public into believing he was an officer. No witnesses report being misled as to his identity.

II. ARGUMENT

A. The Evidence Fails to Support Solicitation or First-Degree Murder

First-degree murder with a solicitation enhancement requires both intent to cause death and a concrete act of persuasion or inducement. Here, the tweets were impulsive, vague and unaccompanied by any concrete steps toward execution. The absence of financial means, direct contact with any third party, or operational planning negates the required mens rea and actus reus for both charges.

B. Statements Were Impulsive Threats, Not Solicitations

The more appropriate charge, if any, would be Criminal Threats against a protected person, as the statements were made in anger, without follow-through, and lacked specific targeting of actionable violence.

C. No Elements of Impersonation Are Present

Mere possession or display of a uniform, without identification, vehicle use or action suggesting authority, does not rise to the level of impersonation. The Defendant's styling, behaviour and lack of misrepresentation fail to meet the legal threshold for this charge. Theft of uniformed property may be a more appropriate consideration, but misrepresentation was not present.

III. PRAYER FOR RELIEF

The Defendant respectfully requests this Honourable Court to:

1. Dismiss the charges of First Degree Murder [PP, SOL] x2 and Impersonation of a Peace Officer x1;
2. Amend the charges to:
 - Criminal Threats [PP] x2
 - Theft [PP] x1
3. Grant such other relief as the Court deems just and proper.

Respectfully submitted,

[Cait Dodger]

[784-4755]

Attorney for Defendant Ollie Smith

Date: [23/04/2025]

Signed: *C. Dodger*

