

Dkt 42 — Sworn Declaration, page 2

Harpole v. Owens, No. 3:26-cv-00556 (M.D. Tenn.)
Declaration of Mitchell H. Snow in Support of TPPA Motion.
Filed 09/07/2026, PageID #875.
Signed under penalty of perjury, 28 U.S.C. § 1746 (page 3). Pro se.
Red boxes: the paragraphs where Snow separates his own statements from Candace Owens's theory. Notes are outside the page; nothing covers the text.

Paragraph 6

6. During the interview I expressly acknowledged that the person I observed could have been a look-alike and said, "maybe it's not him." When asked for a confidence estimate, I said "95" and then "95 to 99."

Paragraph 6

He limits his own claim to a qualified identification: he said "maybe it's not him" and gave "95" then "95 to 99." This is the ceiling of what he swears he asserted.

Paragraph 7

7. I did not state that Brian Harpole attended an assassination-planning meeting, knew Charlie Kirk would be killed, participated in planning or carrying out a killing, or participated in a cover-up. I stated during the interview that I "obviously didn't know what was going to happen the next 24 hours."

Paragraph 7

Sworn denial that he ever stated Harpole attended an assassination-planning meeting, knew Kirk would be killed, took part in a killing, or in a cover-up. Quotes his own Ep 282 line: "obviously didn't know what was going to happen the next 24 hours."

Paragraph 8

8. I did not agree with Candace Owens or anyone else to fabricate an account, falsely accuse Brian Harpole of a crime, or publish a statement I knew to be false.

Paragraph 8

Sworn denial of any agreement with Owens "or anyone else" to fabricate an account, falsely accuse Harpole of a crime, or publish a statement he knew to be false.

9. My first contact with Candace Owens occurred after an audience member referred me to her and Ms. Owens contacted me. Ms. Owens later contacted me to request that I participate in Episode 282. I did not have a preexisting relationship with Ms. Owens or Mr. Harpole.

10. No fundraiser was negotiated with me as consideration for providing information or participating in the interview. The fundraiser was first proposed near the end of the recorded interview, after the substantive discussion described in the Complaint.

11. I did not receive proceeds from the fundraiser referenced in the Complaint.

Paragraph 12

12. After my portion of the interview ended, Ms. Owens continued the program. I did not participate in, adopt, or authorize statements she made after I left the conversation.

Paragraph 12

The disclaimer of Owens's theory: after he left the interview (about 1:07:48) Owens "continued the program," and he "did not participate in, adopt, or authorize statements she made after I left the conversation." Her government-involvement and cover-up conclusions came at about 1:11:42 (Dkt 33-1).

13. I was served with the summons and Complaint on July 20, 2026.

Caution: no filing by Snow says he has "no evidence" or no photographs. He never disclaims the photos and video he has described publicly. What he swears is narrower: a qualified eyewitness identification (para. 6) and non-adoption of Owens's conclusions (para. 12).

Harpole v. Owens, No. 3:26-cv-00556 (M.D. Tenn.)
Defendant Mitchell H. Snow's Motion and Memorandum of Law
for Dismissal Under the Tennessee Public Participation
Act. Filed 09/07/2026, PageID #864.
Legal argument, not sworn testimony. Sworn support is Dkt
42.
Red boxes: sections D, E and F, where he argues Owens's
conclusions are hers, not his.

Section D

D. Snow did not state that Harpole attended an assassination-planning meeting.

Count IV alleges that Snow published that Harpole attended a high-level meeting "as part of a plot to assassinate Charlie Kirk." Compl. ¶ 126; see also id. ¶¶ 132-33. Episode 282, however, does not contain a Snow statement that:

- the observed meeting was an assassination-planning meeting;
- Harpole knew that Kirk would be killed;
- Harpole planned, facilitated, or executed the killing;
- Harpole participated in a cover-up; or
- Snow possessed knowledge that any of those propositions was true.

Snow described an observation, circumstances he found unusual, and an attempted later identification. Converting that account into an accusation of participation in murder requires additional premises that Snow did not state.

Section D

Lists five propositions he says Episode 282 does not contain from him: that the meeting was assassination planning; that Harpole knew Kirk would be killed; that Harpole planned or executed the killing; that Harpole took part in a cover-up; that Snow had knowledge any of that was true. His account: "an observation, circumstances he found unusual, and an attempted later identification."

Section E

E. Snow expressly said he did not know what would happen the next day.

Later in the same interview, Snow stated:

"I obviously didn't know what was going to happen the next 24 hours." ECF No. 33-1 at 1:03:25-1:03:57.

That language matters. The alleged implication is not merely absent from Snow's words; the publication contains an express limitation inconsistent with treating his account as a declaration that he knew he had witnessed preparations for an assassination. To obtain Plaintiff's proposed meaning, a listener must disregard the limitation appearing in the publication itself.

Section E

Relies on his own words at 1:03:25 of Ep 282: "I obviously didn't know what was going to happen the next 24 hours." Argues a listener must disregard that limitation to reach Harpole's meaning.

Section F

F. Owens's later conclusions cannot automatically be attributed to Snow.

Snow's interview ended at approximately 1:07:48. Owens thereafter continued alone and, at approximately 1:11:42, expressed her own conclusions concerning government involvement and a cover-up. ECF No. 33-1. Whatever significance those later statements may have as to Owens,

Section F

"Owens's later conclusions cannot automatically be attributed to Snow." His interview ended about 1:07:48; Owens "continued alone" and at about 1:11:42 "expressed her own conclusions concerning government involvement and a cover-up." Continues on page 8: Snow "was no longer present and did not speak, adopt, or assent to them."

Caution: this page argues what he did not say on air. It does not say he lacks evidence, and it does not address the photographs and video he has publicly claimed to hold.