

MITCHELL H. SNOW

Public statements against the sworn record

An evidentiary review of whether Snow has misled the public, the court, or both

Case: Harpole v. Owens, No. 3:26-cv-00556 (M.D. Tenn.)

Prepared: 9 September 2026 · osint-desk · case file: influencer-network

Record reviewed: 49 docket entries through Dkt 42 · 1,827 archived X posts · 16 recorded appearances · 21 podcast episodes · 2 platform snapshots

Exhibits: 32, bound at the back of this document

Handling: Internal work product. Not for publication. Third-party personal details, the minor child, and the domestic-violence complainants are excluded throughout. Findings are stated with their strength and their limits; three of the seven cut in the subject's favour.

1. WHAT THIS DOCUMENT IS, AND HOW TO READ IT

This is a comparison exercise. On one side sits everything Mitchell Snow has told a federal court, under penalty of perjury, in five filings between 10 August and 7 September 2026. On the other sits everything he has told the public since 18 December 2025: 1,827 archived posts on X, sixteen recorded interviews and livestreams, and the broadcast that started the case. The question is whether the two accounts describe the same man and the same facts.

They do not. But the mismatch is not uniform, and a document that pretended otherwise would fail the first time somebody tested it. So the findings below are sorted by strength, and three of them cut in Snow's favour. Where the plaintiff's own lawyers have made a false statement, this document says so. Where Snow's sworn account survives every check, it says that too. The parts of this file that will hold up under attack are the parts that concede ground.

Reading convention. Every factual assertion carries an exhibit number. Exhibits 1 through 14 are court filings, reproduced as filed with red call-out boxes and marginal notes; nothing is drawn over the text. Exhibits 15 through 24 are Snow's own posts, reproduced verbatim with permalinks. Exhibits 25 through 29 are transcript passages. Exhibits 30 through 32 are platform records from GiveSendGo.

2. THE STANDARD: WHAT WOULD ACTUALLY COUNT AS PROOF

Loose language destroys this kind of work, so four terms are fixed here and used consistently for the rest of the document.

Misleading the public means making a public statement that is false, or that is literally true but constructed to leave a false impression. Implication counts. A man who answers "such pictures would be sensational" when asked whether he has pictures has not lied, but he has misled, and that distinction matters less to a reader than to a lawyer.

Misleading the court means a false statement of fact in a document signed under 28 U.S.C. § 1746. Argument in a brief is not testimony; a lawyer or a pro se litigant may characterise facts favourably without lying. Only the declarations — Dkt 34, 39 and 42 — carry perjury exposure. Everything in Dkt 32, 33, 38 and 41 is advocacy.

A contradiction requires two statements that cannot both be true of the same subject at the same time. A change of position over time is not a contradiction. A statement that misleads by omission is not a contradiction. This distinction does most of the work below, and it is why the fundraiser sequence, which looks damning at first glance, ends up rated lower than a single sentence about watching a podcast.

The burden. He is a defendant. Nothing requires him to prove anything. The only question here is whether his own statements are consistent with each other.

3. THE SPINE OF THE CASE, IN DATES

Date	Event	Source
9 Sep 2025	Snow is at Fort Huachuca, Arizona. Military police log a bomb-scare report; he is detained and released. His presence is not in dispute.	Incident report at ECF 1 p.34
10 Sep 2025	Charlie Kirk is assassinated at Utah Valley University.	—
8 Dec 2025	A third party emails Candace Owens recommending Snow. Owens telephones him that night.	Ex. 1, 5, 27
9 Dec 2025	Owens airs his account on Episode 277 under the pseudonym "Harry Meyers" and quotes him saying "I watch your stuff."	Ex. 27
18 Dec 2025	Episode 282. Snow appears under his own name. Qualified identification of Harpole at "95 to 99". Owens announces a fundraiser at 1:07:02, after his testimony. He signs off at 1:07:48.	Ex. 10, 25, 26
19 Dec 2025	GiveSendGo "For Mitch" created at 23:12:14 UTC. Snow says he wrote to Owens's organisation the same day refusing the donations.	Ex. 5, 32
6 Jan 2026	First detailed public inventory of what he says he photographed: "vehicles, license plates, drones... Took all in HD. Lots of zoom."	Ex. 15
8 Jan 2026	Archived platform record: no recipient registered; \$138,864.70 sitting as "available for payout".	Ex. 32
10 Jan 2026	Diligent Denizen interview. Both phones were in the surrendered backpack. "No, I wish I had." Also: "I've watched Candace Owens a few times."	Ex. 28
14 Jan 2026	"The phones are locked up in safety deposit."	Ex. 14
30 Apr 2026	Harpole files suit.	Dkt 1
2 Jul 2026	Harpole moves to preserve the devices, citing Snow's posts.	Ex. 12, 13, 14
8 Jul 2026	Every judge in the district recuses. No outside judge designated to date. The preservation motion is never decided.	Dkt 27
11 Jul 2026	"I will release them at a time of my choosing... no man, no judge, no president can compel me." Same post: "we have decided to accept the fundraiser."	Ex. 19

Date	Event	Source
13 Jul 2026	Devices described as sealed in Faraday bags at the bottom of a 40-foot water channel. "Good luck trying to litigate a treasure hunt."	Ex. 20
18 Jul 2026	"I never asked for a dime... We are not asking."	Ex. 21
20 Jul 2026	Served by the Franklin County Sheriff after months of evasion.	Dkt 29
21 Jul 2026	"Ms. Owens has the GFM. She has our bank info. When she sends it, she sends it."	Ex. 22
10 Aug 2026	Files Rule 12(b)(2) motion, memorandum, and first sworn declaration.	Ex. 4
31 Aug 2026	Reply brief and supplemental sworn declaration.	Ex. 5, 8, 9
7 Sep 2026	Conditional anti-SLAPP motion and third sworn declaration.	Ex. 6, 7, 11
9 Sep 2026	Platform record: still no recipient; \$151,932 raised; donations closed.	Ex. 31

4. THREAD A — WHO CALLED WHOM

This thread exonerates Snow and convicts the plaintiff's brief. It is placed first because it establishes that this review is not hunting for one outcome.

Snow has sworn twice that Owens contacted him after an audience referral and that he never sought her out (Dkt 39 ¶¶7-8, Ex. 5; Dkt 42 ¶9, Ex. 6). Harpole's opposition brief says the opposite in its second paragraph: "On December 8, 2025, Snow initiated contact with Owens to provide her a fabricated narrative" (Ex. 2).

Four independent sources agree with Snow.

1. **Harpole's own complaint.** Paragraph 140 pleads that Owens "received an email from an unknown third-party recommending that Owens reach out and speak to Snow." Paragraph 141 pleads that "[t]hat evening, Owens phoned Snow." Paragraph 146 pleads that "Owens contacted Snow a second time" for the interview (Ex. 1).
2. **The opposition brief cites those very paragraphs** for the opposite proposition. Its citation is to complaint ¶¶36, 127-128 (Ex. 2).
3. **Owens, on air, the day after the call:** "not even five minutes after this email hit my inbox, I was calling this person" (Ex. 27).
4. **Snow's own interviews**, consistently across January, April and May 2026, describing a friend named Marcy emailing Owens after he had failed to interest two other shows (Ex. 28).

Snow identified the inconsistency himself and cited it by paragraph number (Ex. 3).

Why the brief probably did it. Personal jurisdiction over Snow in Tennessee requires that Snow reached into Tennessee. A referral that travels to Owens, and a call placed by Owens, make that much harder to argue. This is a motivated recharacterisation in advocacy, not sworn testimony, so it is not perjury. It is still a false statement to a federal court by represented counsel, and it is the kind of thing that damages a plaintiff's credibility when the other side points at it.

Finding A. Snow told the truth. The plaintiff's brief did not. Anyone using this file to argue that Snow is a serial liar must account for this thread first, because opposing counsel certainly will.

5. THREAD B — THE PHOTOGRAPHS

This is the centre of the case for public deception, and the evidence is entirely his own.

5.1 What the material actually was, established on the night of the broadcast

Owens described what Snow sent her, on air, on 18 December 2025:

"[H]e had not sent me the photos that he took that morning on the base. So, he tells a story. I stepped outside. I got coffee... He was sort of documenting himself while he was on the base. So, he sends me over all this stuff and I literally was able to confirm with the metadata uh where he was, exactly wha[t time]..." (Ex. 25)

And, in the same episode, on the crucial limit:

"I can confirm everything with metadata. Um I obviously can't confirm that you saw who you say you saw." (Ex. 25)

So on day one the material is self-documentation. It proves where Snow was and when. It was never offered as proof of anyone else's presence, and the broadcaster said so out loud. Snow's identification of Harpole in the same episode rests on nothing but appearance: mannerisms, a crick in the neck, gait, haircut, at 95 to 99 percent, with the express qualifier "maybe it's not him. Maybe [a] doppelganger" (Ex. 26).

5.2 What he told the public afterwards

Beginning nineteen days later, the description grows.

Date	What he published	Exhibit
6 Jan 2026	"Photo. Video calls. Video. Architecture, lobby, dinning area, parking lot, vehicles, license plates , drones.... lots of background. Took all in HD. Lots of zoom. "	15
14 Jan 2026	"They are Mrs. Owens' to do what she will with them. The phones are locked up in safety deposit. "	14

Date	What he published	Exhibit
24 Feb 2026	"All photos and videos I took those days are for Mrs. Owens to use... Statute of limitations on conspiracy to murder are forever. "	16
27 Mar 2026	"I gave my word and a gift. No take backs... Even if provided, the photos would be debated."	<i>timeline</i>
2 Apr 2026	"They took, searched my phones, returned them... Whats on images was caught naturally and unintrusively. "	17
23 Apr 2026	Asked directly for "pictures or videos of Erika Kirk in a hotel lobby": no denial. "I gave everything to Candace Owens."	13
11 Jul 2026	" I will release them at a time of my chosing at a time of most benefit to me and the nation... no man, no judge, no president can compel me."	19
13 Jul 2026	Devices in Faraday bags, sealed box, 40 feet underwater. "Good luck trying to litigate a treasure hunt that will expire in 2028."	20
6 Aug 2026	"I keep the number of people flashing pictures to a very small few."	<i>timeline</i>
12 Aug 2026	" Yes such pictures would be sensational... The photos you want are not what is needed."	23

Read as a series, these posts do one thing consistently. They sustain the impression that he holds imagery capable of proving who was at Fort Huachuca, while never once confirming what any image shows and never once denying possession. "Lots of zoom" and "license plates" are not descriptions of scenery. "What is on images" presupposes something being on them. "Such pictures would be sensational" concedes the premise of the question.

5.3 What he says when an interviewer asks him directly

Four days after the "lots of zoom" post, Snow sat for a three-and-a-half-hour interview and was asked, plainly, whether he recorded anything at the moment of the sighting.

*HOST: "[D]id you at any time between the time you left the building and what you're describing right now, message your wife, video call, record anything? ...did you videotape the cars out there or anything?" SNOW: "No, I wish I had." HOST: "Did they ask you for your phone?" SNOW: "Uh actually, I'm sorry about my phones. Now, they were in I put them in with my bag uh as I went in the first time. So, **they were in the top flap of my my backpack, which they had me leave there.** So they they were in possession of those." HOST: "So in the building you left your phones in the building in the bag." SNOW: "Okay. Yep. Um so yeah, **I didn't get to I wish I'd record all this***

stuff." (Ex. 28)

That is dispositive on its own terms. If both phones were inside a backpack in the custody of the building at the moment the group walked out, there is no photograph of that group. He says as much twice in ninety seconds.

It is not an isolated slip. In April he said "I wish I had had like a video or somebody with me videotape" the detention. In May, asked what made him capture images of the people, he answered: "I can say that there was **nothing of intent for me to capture um other people** uh intentionally. It wasn't my purpose... but you know inadvertently things happen, you know, and somebody comes walking around a corner and almost bumps into you" (Ex. 29). The near-collision he describes is with the woman in the hotel lobby on the **8th**, not the meeting on the **9th**.

Asked in April whether the one base-sign photograph Owens actually aired was even his, he answered: "I don't know if that came from my room or or if it was just like a generic one" (Ex. 29).

5.4 The logic

Two readings survive the full record, and only two.

• **Reading 1.** The imagery is what Owens described on 18 December: self-documentation of a trip, plus an accidental hotel-lobby encounter the night before. Nothing depicts anyone he identifies. Under this reading, every post in the table at 5.2 misled his audience, and the ones about withholding "at a time of most benefit to me and the nation" misled them about the existence of leverage he does not have.

• **Reading 2.** He does hold imagery showing identifiable people. Under this reading his three sworn declarations are incomplete in a way that matters, because the court has been told he made "an attempted later identification" from observed characteristics and has never been told there is photographic material.

The record forces Reading 1. It is his own account, given twice, unprompted, in friendly interviews, that the phones were not in his possession at the moment in question. Reading 2 requires disbelieving him in the one setting where he had every incentive to claim more.

Finding B. Snow has misled the public about holding photographic proof of who was at Fort Huachuca, and by his own account no such proof exists. This is the strongest finding in the file. It rests on his own words in at least four separate settings and does not depend on any adverse witness.

The one open item. On 31 July 2026 he released, on air, an image he said he had not released before: "I've got one of the pictures from my phone that a lot of people have been wanting to see." Automated visual analysis of that segment produced a description that also misidentified the host and the date, so it is not reliable. Somebody should watch that segment directly. It does not change Finding B, but it should be nailed down.

6. THREAD C — WHAT THE COURT HAS AND HAS NOT BEEN TOLD

Snow has filed three sworn declarations totalling forty paragraphs. Read them for a single word: photograph, image, video, recording, device, phone, metadata.

The word does not appear. Not in Dkt 34 (Ex. 4), not in Dkt 39 (Ex. 5), not in Dkt 42 (Ex. 6). His memorandum describes what he did as "an observation, circumstances he found unusual, and an attempted later identification" (Ex. 7). His reply brief describes him as "responding to an unsolicited source inquiry" (Ex. 8).

Meanwhile the plaintiff went to court specifically about this. The preservation motion of 2 July quotes two of Snow's posts by name — "gave everything to Candace Owens" and "the phones [plural] are locked up in safety deposit" — and asks that the devices be preserved (Ex. 12, with the posts at Ex. 13 and 14). Eleven days later Snow published a description of those devices sealed underwater with the words "good luck trying to litigate a treasure hunt that will expire in 2028" (Ex. 20).

Is this misleading the court? Not on the strict definition at Section 2. A declaration limited to jurisdictional facts is not false because it omits something outside its scope, and Dkt 34 expressly limits itself that way (Ex. 4). No question was put to him that he answered falsely.

But the omission is doing work. The anti-SLAPP motion asks the court to dismiss on the basis that his account was a bare, qualified, good-faith observation. A court weighing that would want to know that the same man has spent eight months telling a public audience he holds withheld photographic evidence bearing on a murder conspiracy. The court has not been told, and because the preservation motion was never decided, no one has made him answer.

Finding C. Not perjury. A material omission, sustained across three declarations, on the precise subject the plaintiff asked the court to address. Its significance depends entirely on Finding B. If there are no photographs of the group, the omission is venial. If there are, it is not.

7. THREAD D — THE MONEY

This thread looks worse for Snow than it is, and that needs saying before the detail, because the detail is easy to misread.

7.1 What he swore

Dkt 39 ¶¶10-15 and Dkt 42 ¶¶10-11 (Ex. 5, Ex. 6): he did not request the fundraiser; it was announced after his interview; on 19 December 2025 he wrote to Owens's organisation refusing the donations; he has never received any proceeds; after suit he asked GiveSendGo to remove the fund from Owens's control; when the deadline passed he asked for refunds; residual funds should not benefit him.

7.2 What corroborates it

• **The broadcast timeline he filed himself.** First on-air fundraiser mention 1:07:02, after his testimony; he signs off 1:07:48; Owens expands the announcement at 1:10:07 after he is gone (Ex. 10).

• **Owens, on air, 29 December 2025,** reading his email: "Thank you so much for raising money, but I do not want to accept this money from you," and adding "he never asked me to raise money for him." This is the counterparty confirming the refusal.

• **Interviews.** 3 January: "I ain't taking a damn cent from Candace." 21 March: "I didn't ask her for it... Oh, hell no. Thank you, but no, thank you, Miss Owens." 25 April: "I immediately was texting her going, No, no, no, no, no."

• **His posts.** 21 July: "we have not recieved donations yet" (Ex. 22). 6 September, to a donor asking directly: "No. Not yet" (Ex. 24).

• **The platform record.** Section 8. Nothing has ever been paid out.

7.3 What cuts against him

On **11 July 2026** he published this (Ex. 19):

*"Amy and I have decided to **accept the fundraiser** by Candace Owens. We do so humbly... The funds will be needed it seems. To bloody these people in court... **If anyone else wants us donate, we humbly accept** and promise it to a good cause of counter suits."*

Seven days later, on **18 July**, he published (Ex. 21):

*"I never asked for a dime... **We are not asking. We are not begging for people to give us money.**"*

And on **6 September**, six days after swearing to the refund request, he told a donor (Ex. 24):

*"I have elected **from first notice until now** to have the money returned to donors."*

7.4 The logic

The sworn sequence and the public record are compatible. He refused in December, accepted in July when litigation costs became real, then sought refunds in August when the opportunity to hire counsel had passed. Dkt 39 ¶¶13-14 describes exactly that arc. **There is no perjury here**, and anyone who claims there is will lose the argument.

What does not survive is the 6 September statement. "From first notice until now" is false on his own published record; on 11 July he accepted the fundraiser and solicited additional donations. That is a false statement to the public about his own history, made six days after he swore to a version of events that, correctly stated, would not have supported it.

The 11 July and 18 July posts are also irreconcilable with each other as descriptions of his position in that single week.

Finding D. No sworn falsehood on the money. Two false or irreconcilable statements to the public, one of them made within a week of the sworn filing. The pattern is a man who

adjusts his account of his own motives to fit the audience in front of him.

8. THREAD E — WHERE THE \$151,932 ACTUALLY IS

This began as an unanswerable question and became a nearly answerable one.

The test. GiveSendGo campaign pages carry a recipient field in their page data. Eleven control campaigns were fetched across two versions of the site (Ex. 30). In every campaign where anyone had registered to receive funds — the creator or a third party — the field carries a name, and where the recipient differs from the creator the page prints "Fundraiser funds will be received by [name]." The only other empty value in the control set belongs to a campaign that has never raised a dollar.

The result. "For Mitch" has raised \$151,932 and has **no recipient**, in two independent snapshots seven months apart:

Snapshot	Recipient	Raised	Other
8 Jan 2026, Wayback (Ex. 32)	received_by empty, recipient null	\$146,745	available_for_payout: 138,864.70 — the entire net balance still on the platform
9 Sep 2026, live (Ex. 31)	recipient null	\$151,932	donations closed by the owner's toggle

The January capture is the important one, because it is contemporaneous rather than reconstructed and because it exposes the payout field. On 8 January 2026 nothing had been transferred to anybody.

Why this matters. GiveSendGo's Terms of Service state that "funds will only be disbursed to the verified Recipient upon successful completion of GiveSendGo's compliance process," and its help documentation requires a recipient to verify identity, tax ID and a bank account before any transfer can be initiated. With no recipient, no transfer is possible.

It also corroborates Snow. His sworn ¶13 asked GiveSendGo to take the fund out of Owens's control, which is what a man who is not the recipient would have to do. His 21 July post says "she has our bank info" — bank details given to *Owens*, not to the platform (Ex. 22). Both fit a campaign with no registered recipient.

And it corroborates that no refunds have happened. GiveSendGo has stated publicly that the raised total falls when donors are refunded or dispute a donation. This total has only risen: about \$138,000 in late December, \$146,745 on 8 January, \$150,422 in the plaintiff's court filing of 2 July (Ex. 12), \$151,932 today.

The limits, stated plainly. Eleven controls on a single day. A recipient could in principle have been set, paid, and later removed through GiveSendGo support. A pending, unaccepted invitation would also read null. The unverifiable window is 9 January to 9 September 2026.

Finding E. On the public record, no one — not Snow, not Owens — has ever been registered to receive this money, and as of 8 January 2026 none of it had moved. Strong circumstantial proof, not certainty. Certainty requires GiveSendGo's records.

9. THREAD F — THE ASSASSINATION FRAMING

Snow's sworn Dkt 42 ¶17 (Ex. 6) says he "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."

As to the broadcast, this is true, and his paraphrase defence is well founded. Episode 282 contains the qualifier, the doppelganger, the 95-to-99 range, and his own express limitation "I obviously didn't know what was going to happen the next 24 hours" (Ex. 26, Ex. 10). His memorandum lists the five propositions the episode does not contain from him, and the transcript bears him out (Ex. 7).

Two problems.

First, the sentence has no time limit. It is not confined to Episode 282. On the 8 December call — a call his own exhibit expressly declines to cover (Ex. 10) — Owens quoted him the next day as saying:

*"Canis, I know how these meetings work. **These are the meetings that are had ahead of an operation. Like when an operation is being confirmed**, you have these final meetings and they involve all of the higherups..." (Ex. 27)*

She repeated it on Episode 285: "This meeting, this hands-on meeting that looked like mission is on the table. Let's go. Break. Right before a mission. That's how it was described to me." This is hearsay. Its weight comes from timing: broadcast the day after the call, five months before any lawsuit, with no motive to invent it. "Operation" is not "assassination," so this is arguable rather than conclusive.

Second, and more serious: after the broadcast he made the accusation himself.

• **24 February 2026**, attaching his claimed photographs to a criminal frame: "All photos and videos I took those days are for Mrs. Owens to use... **Statute of limitations on conspiracy to murder are forever.**" (Ex. 16)

• **1 May 2026**, in a post whose subject is Harpole suing him: "the crazy people in this world who **have blood on their hands** are realizing their Judgement day is close." (Ex. 18)

• **3 August 2026**, a long post placing the Vice President's chief of staff "at Ft. Huachuca, on SAM702, at UVU when Charlie was killed, at the Timp Hospital with Charlie's head of security" — Harpole being the head of security.

None of this is Owens. It is Snow, in his own voice, months after he left her studio, and it is precisely the implication his filings tell the court he never made.

Finding F. The sworn denial is accurate for the broadcast and arguable for the 8 December call. It does not describe what he published himself between February and August 2026. His whole anti-SLAPP defence rests on the separation between his qualified tip and Owens's conclusions. His own posts collapse that separation.

10. THREAD G — THE CLEAN SWORN CONTRADICTION

Dkt 39 ¶3 (Ex. 5), sworn 31 August 2026:

"Before Candace Owens discussed my circumstances on Episode 277 of her program on December 9, 2025, I had not watched episodes of her program."

Two sources contradict it.

1. **Owens, on Episode 277 itself, 9 December 2025**, quoting the call of the previous night: "He said, 'You know, I watch your stuff and I can't believe that you got this email.'" (Ex. 27)
2. **Snow himself, 10 January 2026**, describing the moment the referral was made: "And you know, I've watched Candace Owens a few times. You know, she's great lady." (Ex. 28)

The second is the one that matters. It is not hearsay, it is not adversarial, and it is not ambiguous. It is Snow, in his own voice, seven months before he swore the opposite.

Why it is small in substance and large in consequence. Whether he had watched her show changes nothing about the merits. It is his one sworn statement flatly contradicted by his own recorded words. In a case where the anti-SLAPP motion asks a judge to accept his declarations at face value, a demonstrated inaccuracy in one of them is worth more than its subject matter suggests.

The fair caveat. "I had not watched episodes" against "I've watched a few times" is the kind of gap that can be sloppiness rather than deceit, and a declarant might reconcile them by distinguishing casual clips from episodes. That defence exists. It is thin, because ¶3's purpose in the declaration is to establish that he came to Owens with no knowledge of her programme or her disputes.

Finding G. One direct contradiction of a sworn statement, corroborated by Snow's own recorded voice. The single most citable court-facing finding in this file.

11. AN OBSERVATION ON THE FILINGS THEMSELVES

Snow appears pro se. His filings contain Bluebook-form citations, correct pinpoint cites to a March 2026 decision of the same district, a November 2025 Tennessee Court of Appeals slip opinion, a structured *Erie* and Rules Enabling Act argument, and an accurate identification of an internal inconsistency in the plaintiff's pleading by paragraph number (Ex. 3).

On 1 May 2026, the day after the complaint was filed and three months before he filed anything, he posted a compressed but accurate description of the jurisdictional defence he would eventually run: suing him in Tennessee when "I live in Washington state" using "a lawyer from Florida that's not licensed to practice in Tennessee" (Ex. 18).

This is not improper. Pro se litigants may use form books, drafting software, or unpaid help. It is recorded because the case file elsewhere characterises him as an unrepresented man with no assets and no lawyer, and the filings do not read that way. It also bears on the fundraiser: he told the public the money was needed for counsel he never retained.

12. FINDINGS, RANKED BY WHAT THEY WILL SURVIVE

#	Finding	Directed at	Strength	Best exhibits
B	Publicly claimed photographic proof of who was at Fort Huachuca; by his own account no such proof exists	Public	Very strong — his own words, four settings, no adverse witness	15, 17, 19, 23 vs 28 , 29, 25
G	Swore he had not watched Owens's programme; his own recorded voice says he had	Court	Strong — one direct sworn contradiction, corroborated twice	28 , 27 vs 5
E	No recipient ever registered on the fundraiser; nothing paid out as of 8 Jan 2026	<i>neutral</i>	Strong circumstantial	32 , 30, 31
F	Published the assassination framing himself after the broadcast, contrary to the thrust of his sworn denial	Both	Moderate to strong — his posts are unambiguous; the sworn sentence is arguably broadcast-limited	16, 18 vs 6, 7
D	Two false or irreconcilable public statements about the money, one six days after the sworn filing	Public	Moderate — not perjury; the sworn sequence holds	19, 21, 24 vs 5
C	Three sworn declarations omit the photographic material entirely while the plaintiff litigates over it	Court	Moderate — omission, not falsehood; significance depends on Finding B	4, 5, 6, 7 vs 12, 13, 14, 20
A	The plaintiff's brief misstates who initiated contact; Snow's sworn account is correct	Plaintiff	Very strong	1, 3, 27 vs 2

13. WHAT THIS FILE DOES NOT ESTABLISH

State these before anyone else does.

1. **Not perjury on the money.** The sworn fundraiser sequence is consistent with the public record. Do not claim otherwise.
2. **Not a fabricated presence.** Snow was at Fort Huachuca on 9 September 2025. A military police report puts him there. The plaintiff's own footnote suggesting he "likely never visited" is unsupported and cuts against the plaintiff's theory (Ex. 2).
3. **Not a disproved identification.** Whether the man he saw was Brian Harpole is unresolved here. Harpole says travel records place him in Dallas. That has not been tested in this file.
4. **Not proof the photographs do not exist.** Finding B is that there is no photograph *of the group he identifies*, on his own account. He may hold trip photographs. The 31 July on-air release is unverified.
5. **Not a resolved question about the money's location.** Strong circumstantial evidence, not certainty. Only GiveSendGo's records close it.
6. **Not a claim about his military service.** Unresolved and deliberately excluded.

7. **Timestamps in transcript exhibits are estimates.** The transcript tool returns caption text without timing data, so interview timestamps are proportional estimates, accurate to roughly three to five minutes on long streams. Verify against the video before using one in a filing. The words themselves are verbatim.

14. WHAT WOULD CLOSE THE REMAINING GAPS

1. **Watch Black Line Brief Episode 199 at approximately 2:14:00 to 2:27:00** and record what the released image actually shows. Cheapest, highest-value item outstanding.
2. **Subpoena GiveSendGo LLC** for the campaign's recipient and transfer history. Closes Thread E completely. Harpole's counsel already sought fundraiser discovery (Dkt 37 p.13).
3. **Get the 19 December refusal email into the record.** It is sworn to but has never been filed by either side.
4. **Docket-monitor** for designation of an out-of-district judge, then for rulings on the preservation motion (Dkt 24), the Rule 12(b)(2) motion (Dkt 32), and the anti-SLAPP motion (Dkt 41). Harpole's response to Dkt 41 is due around 22 September 2026.
5. **Identify the audience member who referred Snow to Owens.** Named in the complaint only as "an unknown third-party." Snow's interviews name a friend, "Marcy Torres." Unexamined in every filing.
6. **Re-capture the GiveSendGo page weekly.** Any drop in the raised total means refunds have begun.

15. METHOD AND CHAIN OF CUSTODY

Court record. CourtListener docket 73271589 (RECAP), 49 entries, complete through Dkt 42. PDFs at `documents/harpole_v_owens/`. Snow's filings are image-only with no text layer; they were rendered at 200 dpi and OCR'd with Tesseract, and every quotation used in this document was verified against the rendered page image rather than the OCR text. Page images at `exports/snow_report/pages/`.

X timeline. 1,827 posts from @Ft_Banana_Snow captured 6 September 2026, covering 1 August 2025 to 6 September 2026, at `collected/x_timeline_ft_banana_snow/posts.jsonl`. The account had 1,857 posts at capture. Post exhibits are verbatim transcriptions from that capture with live permalinks; they are not screenshots, because no browser session was available in this environment. Two posts appear as genuine screenshots because plaintiff's counsel filed them in court (Ex. 13, 14).

Transcripts. Sixteen YouTube items and 21 Candace Owens episodes at `collected/transcripts/`. Web captures at `collected/web_captures/`.

Platform records. GiveSendGo fetched through the project's rate-limited client. Live capture and the sole Wayback capture archived at `exports/snow_mtd_exhibits/`. Policy pages at `exports/snow_mtd_exhibits/givesendgo_policy/`.

Not retrievable. Rocky Mountain Oyster interview of 18 August 2026 (unarchived live stream, no captions). Teresa Bruce stream of 10 September 2026 (had not aired). Seven of the nine documented X Spaces have

no recording; the inventory is at notes/SNOW_X_SPACES_INVENTORY.md.

Supporting files. notes/SNOW_MTD_VERIFICATION.md (claim-by-claim filing verification), notes/sweep/batch_A_transcripts.md, batch_B_transcripts.md, batch_C_owens_and_web.md, entities/mitch-snow.md, notes/SNOW_ANOMALIES_AND_OWENS_EXPOSURE.md.

16. EXHIBIT INDEX

Court filings, annotated

#	Document	Date	Subject
1	Complaint p.62	30 Apr 2026	¶¶140-141: Owens phoned Snow
2	Opposition p.2 (Dkt 37)	24 Aug 2026	"Snow initiated contact"
3	TPPA memorandum p.3 (Dkt 41)	7 Sep 2026	Snow cites the pleading against itself
4	Declaration p.1 (Dkt 34)	10 Aug 2026	Jurisdiction facts, sworn
5	Supplemental declaration p.2 (Dkt 39)	31 Aug 2026	Contact and money, sworn
6	TPPA declaration p.2 (Dkt 42)	7 Sep 2026	The disclaimer of Owens's theory, sworn
7	TPPA memorandum p.7 (Dkt 41)	7 Sep 2026	Sections D, E, F
8	Reply p.1 (Dkt 38)	31 Aug 2026	Denies initiating contact
9	Reply p.3 (Dkt 38)	31 Aug 2026	Fundraiser chronology
10	Exhibit A p.2 (Dkt 33-1)	10 Aug 2026	Episode 282 timestamps
11	TPPA memorandum p.2 (Dkt 41)	7 Sep 2026	Questions presented
12	Preservation motion p.5 (Dkt 24)	2 Jul 2026	GiveSendGo total; the phones
13	Snow post, filed as Dkt 24-1	23 Apr 2026	"I gave everything to Candace Owens"
14	Snow post, filed as Dkt 24-2	14 Jan 2026	"The phones are locked up in safety deposit"

Snow's X posts, verbatim with permalinks

#	Date	Subject
15	6 Jan 2026	"license plates... Took all in HD. Lots of zoom"
16	24 Feb 2026	"Statute of limitations on conspiracy to murder are forever"
17	2 Apr 2026	"Whats on images was caught naturally"
18	1 May 2026	"blood on their hands"; previews the jurisdiction defence
19	11 Jul 2026	Withholding "at a time of my chosing"; accepts the fundraiser
20	13 Jul 2026	Devices sealed underwater
21	18 Jul 2026	"I never asked for a dime... We are not asking"
22	21 Jul 2026	"She has our bank info. When she sends it, she sends it"

#	Date	Subject
23	12 Aug 2026	"Yes such pictures would be sensational"
24	6 Sep 2026	"No. Not yet"; "from first notice until now"

Transcripts

#	Source	Date	Subject
25	Candace Ep 282	18 Dec 2025	What the metadata actually proved
26	Candace Ep 282	18 Dec 2025	The qualified identification
27	Candace Ep 277	9 Dec 2025	"I watch your stuff"; "ahead of an operation"
28	Diligent Denizen	10 Jan 2026	Phones in the backpack; "No, I wish I had"
29	Black Line Brief	25 Apr / 2 May 2026	"nothing of intent... to capture other people"

Platform records

#	Source	Subject
30	GiveSendGo, 11 controls	The recipient-field control test
31	GiveSendGo live	9 Sep 2026: null recipient, \$151,932, closed
32	GiveSendGo via Wayback	8 Jan 2026: null recipient, \$138,864.70 unpaid

Prepared as internal work product. Findings are stated with their strength and their limits. Sections 4 and 13 exist because a file that only argues one way is not evidence, it is advocacy, and it breaks the first time it is tested.

EXHIBITS 1 – 32

Court filings are reproduced as filed. Red boxes mark the passage under discussion; every analyst note sits in the margin outside the page so that no annotation covers filing text. Post exhibits are verbatim transcriptions from the archived timeline with live permalinks. Exhibits 13 and 14 are genuine screenshots because plaintiff's counsel filed them in court.

136. Snow published these false statements through direct communication with Owens and through Owens's podcast.

137. Because Snow published these statements with actual malice, Harpole is entitled to punitive damages.

COUNT V: CIVIL CONSPIRACY TO DEFAME
(Against All Defendants)

138. Plaintiff realleges and reincorporates the prior paragraphs as if fully set forth herein.

139. "The elements for a cause of action for civil conspiracy are: (1) a common design between two or more persons, (2) to accomplish by concerted action an unlawful purpose, or a lawful purpose by unlawful means, (3) an overt act in furtherance of the conspiracy, and (4) resulting injury." *Kincaid v. South Trust Bank*, 221 S.W.3d 32, 38 (Tenn. Ct. App. 2006).

140. On or about December 8, 2025, Owens received an email from an unknown third-party recommending that Owens reach out and speak to Snow because he possessed information she "need[ed] to hear."

141. That evening, Owens phoned Snow and spoke with him. During the conversation, Snow conveyed to Owens a fabricated account claiming that Harpole had participated in a conspiracy with the United States to assassinate Kirk, alleging that he had seen Harpole leaving a meeting with senior military officials at Fort Huachuca on September 9, 2025—the day before Kirk was killed.

EXHIBIT 1 - The Complaint, page 62

Harpole v. Owens, No. 3:26-cv-00556 (M.D. Tenn.). Filed 04/30/2026, PageID #62.
Why it matters: Harpole own pleading says OWENS called SNOW. This is the plaintiff account, not Snow.

1 Complaint 140

Harpole pleads that on or about December 8, 2025, "Owens received an email from an unknown third-party recommending that Owens reach out and speak to Snow because he possessed information she need[ed] to hear." The referral reaches Owens from someone else. Snow is not the initiator in this paragraph.

2 Complaint 141

"That evening, Owens phoned Snow and spoke with him." The plaintiff verified pleading puts the call in Owens hand. The rest of the paragraph is the disputed content: that Snow conveyed "a fabricated account claiming that Harpole participated in a conspiracy with the United States to assassinate Kirk."

Read Exhibit 1 against Exhibit 2. The complaint says Owens phoned Snow. The opposition brief filed by the same lawyers four months later says Snow initiated contact. Both cannot be true.

assassination, Owens rapidly began promoting conspiracy theories about complex plots behind the crime on her daily show. *Id.* ¶¶ 22–27. These include sinister accusations that Kirk was failed and betrayed by those closest to him, some of whom were supposedly in league with shadowy government forces. *Id.* ¶¶ 23–27, 32. UVU was responsible for security at the event on its campus where the assassination took place; Harple oversaw a limited portion of the security arrangements on behalf of Turning Point USA. *Id.* ¶ 4. Owens targeted her defamatory accusations about responsibility for Kirk’s death at Harpole both directly and by association as part of Turning Point USA’s security team. *Id.* ¶¶ 22–27, 30–33.

1 On December 8, 2025, Snow initiated contact with Owens to provide her a fabricated narrative to use on her show that fit with the conspiracy theories about the Kirk assassination that she was already monetizing. *Id.* ¶¶ 36, 127–128. Snow, a civilian who lives in Washington, claimed

to have somehow found his way onto the secure U.S. Army installation at Fort Huachuca, Arizona the day before the Kirk assassination. He claimed that, rather than being arrested for trespassing, he accidentally entered a classified meeting of high-ranking officials and saw someone whom he was certain was Harpole.¹ *Id.* ¶¶ 34–39, 127–130. This facially absurd story has, needless to say, not been supported by corroborating evidence.² Harpole directly alleges that Snow’s entire story is false, that Snow willfully fabricated it without any plausible basis in fact or misunderstanding, and that travel records show Harpole was in Texas on the day in question. *Id.* ¶¶ 42, 53, 55–57, 90, 94, 127–129, 132, 135.

2 ¹ Snow likely never visited Ft. Huachuca at all as he claims, which is why his motion bends over backwards to urge the Court to not dive into the issue of who, if anyone, was present at the base on the day in question.

² Snow’s supporting affidavit is conspicuously silent on the underlying facts.

EXHIBIT 2 - Harpole Opposition Brief, page 2

Dkt 37, filed 08/24/2026, PageID #825. Signed by plaintiff counsel.

Why it matters: this is the sentence that contradicts the complaint, and Snow catches it.

1 Opposition p.2

"On December 8, 2025, Snow initiated contact with Owens to provide her a fabricated narrative to use on her show." The citation given is to complaint paragraphs 36 and 127-128, the paragraphs that say the opposite. Jurisdiction over Snow depends on Snow reaching into Tennessee, which gives the brief a motive to recast the call.

2 Footnote 1

"Snow likely never visited Ft. Huachuca at all as he claims." An unsupported footnote. Snow attacks it in reply as "a merits distraction, not a jurisdictional fact." It also cuts against the plaintiff own theory that Snow saw something and reported it.

This exhibit cuts against Harpole, not Snow. On who telephoned whom, Snow sworn account and Harpole own complaint agree. Only this brief departs from both

remote appearance on Episode 282 on December 18, 2025 as the communications underlying the claims against Snow. Id. ¶¶ 126-50.

1 The Complaint's own chronology alleges that a third party directed Owens to Snow and that Owens then contacted him. Id. ¶¶ 127, 140-41. It further alleges that Owens later contacted Snow to invite him to appear on the program. Id. ¶ 146. Thus, the pleading itself does not support the later characterization that Snow sought out Owens to join a preexisting campaign against Harpole.

Count IV alleges that Snow published a false narrative that Harpole attended a top-secret Fort Huachuca meeting "as part of a plot to assassinate Charlie Kirk." Id. ¶ 126. The Count attributes to Snow supposed implications of foreknowledge and participation in planning, execution, or cover-up. Id. ¶¶ 132-33. Count V then alleges an agreement between Snow and Owens to profit from that narrative. Id. ¶¶ 140-50.

The Complaint also quotes or paraphrases portions of Episode 282. See id. ¶¶ 129-33, 147. The selected timestamped transcript excerpts are already in the record as ECF No. 33-1. Because Plaintiff's theory depends on the publication's "context" and "overall gist," the Court should consider the words and qualifications appearing in the same publication. See, e.g., Compl. ¶¶ 40, 129-33; Pl.'s Opp. 9-15, ECF No. 37.

III. THE TPPA FRAMEWORK

The Tennessee General Assembly enacted the TPPA to encourage and safeguard constitutional rights of speech, petition, and association while protecting meritorious claims for demonstrable injury. Tenn. Code Ann. § 20-17-102. The Act defines the exercise of free speech as a constitutionally protected communication made in connection with a matter of public concern. Id. § 20-17-103(3). Matters of public concern include health or safety, community well-being,

EXHIBIT 3 - Snow TPPA Memorandum, page 3

Dkt 41, filed 09/07/2026, PageID #860. Pro se. Legal argument, not sworn testimony.
Why it matters: Snow identifies the contradiction in Exhibits 1 and 2 himself.

1 Section II

"The Complaint own chronology alleges that a third party directed Owens to Snow and that Owens then contacted him. Id. paras. 127, 140-41. It further alleges that Owens later contacted Snow to invite him to appear on the program. Id. para. 146. Thus, the pleading itself does not support the later characterization that Snow sought out Owens to join a preexisting campaign against Harpole." He cites the plaintiff against the plaintiff, and on the text he is right.

A pro se litigant catching a pleading inconsistency and citing it by paragraph number is one of several signs that the drafting quality of these filings exceeds what an unrepresented party usually produces. See Section 9.

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BRIAN HARPOLE,
Plaintiff,
v.
CANDACE OWENS,
CANDACE OWENS LLC,
GEORGETOM, INC., and
MITCHELL SNOW,
Defendants.

JURY DEMAND
Civil Action No. 3:26-cv-00556
District Judge: Unassigned
Magistrate Judge: Unassigned

DECLARATION OF MITCHELL H. SNOW IN SUPPORT OF RULE 12(b)(2) MOTION

I, Mitchell H. Snow, declare under 28 U.S.C. § 1746 as follows:

1. I am a Defendant in this action. I have personal knowledge of the jurisdictional facts stated in this Declaration and could testify competently to them.

2. I submit this Declaration solely in support of my motion under Federal Rule of Civil Procedure 12(b)(2) challenging personal jurisdiction. I do not offer it to resolve the Rule 12(b)(6) portion of the motion.

3. I reside at [home address redacted] and I am domiciled in the State of Washington.

4. I have never resided in or been domiciled in Tennessee.

5. I do not own or lease real property in Tennessee.

6. I do not maintain an office, employee, agent, bank account, or regular business operation in Tennessee.

7. I did not travel to Tennessee in connection with the telephone conversation or podcast appearance described in the Complaint.

8. I participated in the December 2025 podcast appearance remotely from Washington.

9. I did not select or control the location from which the podcast was produced.

EXHIBIT 4 - Snow First Sworn Declaration, page 1

Dkt 34, filed 08/10/2026, PageID #812. Sworn under 28 U.S.C. 1746, penalty of perjury.
Why it matters: the jurisdiction declaration. Note what it does and does not say.

1 Para. 1-2

He swears to "personal knowledge of the jurisdictional facts" and expressly limits the declaration to the Rule 12(b)(2) motion. That limitation is deliberate. It lets him swear to where he lives without swearing to anything about what he saw or what he holds.

2 Para. 3-6

Domiciled in Washington. Never resided in Tennessee. No property, office, employee, agent, bank account or business there. These are verifiable, low-risk facts and none are disputed.

3 Para. 7-9

Did not travel to Tennessee for the call or the appearance. "I participated in the December 2025 podcast appearance remotely from Washington." Did not select or control the location of production.

Nothing in this declaration mentions photographs, video, recordings, devices or metadata. That absence runs through every filing he has made and is the subject of Section 6.

1 7. I did not seek contact with Candace Owens or her organization. My first contact with Ms. Owens occurred when she contacted me after a member of her audience had referred me as a person who might have information potentially useful to her interests. I did not initiate that contact.

2 8. I did not ask to appear on Ms. Owens's podcast or otherwise seek a media appearance from her. Ms. Owens or her organization asked me to participate in the later remote interview.

3 9. When I provided information to Ms. Owens and her staff, I was not attempting to join or assist any preexisting dispute involving Ms. Owens and Mr. Harpole because I was unaware that any such dispute existed.

4 10. I did not request that Candace Owens create a fundraiser for me before my December 18, 2025 appearance. The fundraiser was first announced on air after my substantive interview.

5 11. On December 19, 2025, the following day, I communicated in writing with Ms. Owens's organization that I could not accept the donations. I explained that accepting money connected to my appearance could make it appear that I was attempting to profit from telling my story.

6 12. I have never received any proceeds from the GiveSendGo fundraiser referenced by Plaintiff.

7 13. After this lawsuit was filed and legal representation became necessary, I asked GiveSendGo to remove the fundraiser from Ms. Owens's control so that funds raised in my name could be properly administered for their stated purpose.

14. By the time GiveSendGo was considering that request, the immediate opportunity to retain counsel in time for pending filing deadlines had effectively passed. I then asked that the donations be returned to donors where possible.

EXHIBIT 5 - Snow Supplemental Declaration, page 2

Dkt 39, filed 08/31/2026, PageID #854. Sworn under 28 U.S.C. 1746, penalty of perjury.
Why it matters: the money and first-contact paragraphs, in his own sworn words.

1 Para. 7

"I did not seek contact with Candace Owens or her organization. My first contact with Ms. Owens occurred when she contacted me after a member of her audience had referred me... I did not initiate that contact." Corroborated by the complaint (Exhibit 1), by Owens on air, and by Snow own interviews.

2 Para. 8

"I did not ask to appear on Ms. Owens podcast." Consistent everywhere in the public record.

3 Para. 9

Says he was unaware of any preexisting Owens-Harpole dispute. No contrary evidence in 1,827 captured posts.

4 Para. 10

Did not request the fundraiser. It "was first announced on air after my substantive interview." Independently confirmed by the Episode 282 timeline at Exhibit 10.

5 Para. 11

The refusal. On December 19, 2025 he "communicated in writing with Ms. Owens organization that I could not accept the donations." The writing itself has never been filed. Owens read an email to this effect on air on 29 December; see Section 7.

6 Para. 12

"I have never received any proceeds from the GiveSendGo fundraiser." Supported by the platform data at Exhibits 30, 31 and 32.

7 Para. 13-14

He asked GiveSendGo to remove the fundraiser from Owens control, then, once the deadline passed, "asked that the donations be returned to donors where possible." Compare his public posts of 11 July and 6 September at Exhibits 19 and 24.

Paragraphs 7, 8, 10, 11 and 12 hold up against every independent source located. Paragraphs 13 and 14 are true as to sequence but sit against public statements telling a different story about his willingness to take the money.

1 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."

2 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."

3 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.

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.

4 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.

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

EXHIBIT 6 - Snow Declaration in support of the anti-SLAPP

Dkt 42, filed 09/07/2026, PageID #875. Sworn under 28 U.S.C. 1746, penalty of perjury. His third declaration.
Why it matters: this is the page where he separates himself from Owens theory. It is also the page whose first sentence at paragraph 7 is unqualified.

1 Para. 6

He limits his own claim to a qualified identification: he said "maybe it is not him" and gave "95" then "95 to 99." Accurate to the broadcast; see Exhibit 26. This is the ceiling of what he swears he asserted.

2 Para. 7

The sworn denial: he did not state that Harpole attended an assassination-planning meeting, knew Kirk would be killed, took part in a killing, or in a cover-up. Note the drafting. The first sentence carries no time limit, so on its face it covers the 8 December call as well as the broadcast. Exhibit 27 is Owens quoting him on that call describing "meetings that are had ahead of an operation."

3 Para. 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. Nothing located contradicts this.

4 Para. 12

The disclaimer of Owens theory. After he left the interview at 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 (Exhibit 10).

What this page does NOT say. It never states that he lacks evidence, that he has no photographs, or that he holds nothing. In three sworn declarations across two months he has never once addressed the imagery he describes publicly at Exhibits 15 to 23.

EXHIBIT 7 - Snow TPPA Memorandum, page 7

Dkt 41, filed 09/07/2026, PageID #864. Pro se. Legal argument, not sworn testimony.
Why it matters: the fullest statement of the "her conclusions, not mine" defence.

1 Section D

Lists five propositions he says Episode 282 contains no Snow statement of: 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 knew any of it was true. His own account of what he did say: "an observation, circumstances he found unusual, and an attempted later identification."

2 Section E

Relies on his own words at 1:03:25 of Episode 282: "I obviously did not know what was going to happen the next 24 hours." Argues a listener must disregard that express limitation to reach the meaning the plaintiff pleads.

3 Section F

"Owens 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." Page 8 continues: Snow "was no longer present and did not speak, adopt, or assent to them."

This argument is sound as to the broadcast. Its blind spot is everything after it. Between February and August 2026 Snow published the assassination framing himself, on his own account, with no Owens involved. See Exhibits 16 and 18.

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.

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.

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,

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

BRIAN HARPOLE,
Plaintiff,

v.

CANDACE OWENS, CANDACE OWENS
LLC,
GEORGETOM, INC., and MITCHELL
SNOW,
Defendants.

Civil Action No. 3:26-cv-00556

District Judge: None
Magistrate Judge: None

JURY DEMAND

**DEFENDANT MITCHELL H. SNOW'S REPLY IN SUPPORT OF MOTION TO
DISMISS**

Defendant Mitchell H. Snow, appearing pro se, respectfully replies to Plaintiff Brian Harpole's Response in Opposition (ECF No. 37). Plaintiff's own Opposition confirms that the dispute he describes between himself and Candace Owens predated Snow's first alleged contact with Owens. The issue is whether Snow's limited, out-of-state source communications and one remote interview create personal jurisdiction in Tennessee or plausibly make Snow a co-conspirator in Owens's broader editorial campaign. They do not.

I. PLAINTIFF STILL HAS NOT SHOWN PERSONAL JURISDICTION OVER SNOW.

A. Owens's Tennessee location cannot substitute for Snow-created Tennessee contacts.

Plaintiff repeatedly characterizes the December 8 call as a Tennessee contact deliberately initiated by Snow. Opp. 1-2, 5-6. Snow denies that jurisdictional characterization. His first contact with Owens occurred when Owens contacted him after a member of her audience referred Snow as a possible source; Snow did not seek out Owens or request a podcast appearance. The later remote interview likewise occurred at Owens's request. Supp. Decl. ¶¶ 7-8.

Specific jurisdiction turns on the defendant's own suit-related conduct and its substantial connection with the forum. *Walden v. Fiore*, 571 U.S. 277, 284-86 (2014); *Johnson v. Griffin*, 85 F.4th 429, 432-35 (6th Cir. 2023); *Carbone v. Kaal*, 140 F.4th 805, 808-13 (6th Cir. 2025). Here, Plaintiff is alleged to be a Texas citizen, Snow spoke from Washington, and the disputed

EXHIBIT 8 - Snow Reply Brief, page 1

Dkt 38, filed 08/31/2026, PageID #847. Pro se.

Why it matters: the express denial of the plaintiff "Snow initiated contact" sentence.

1 Section I.A

"Plaintiff repeatedly characterizes the December 8 call as a Tennessee contact deliberately initiated by Snow. Opp. 1-2, 5-6. Snow denies that jurisdictional characterization. His first contact with Owens occurred when Owens contacted him after a member of her audience referred Snow as a possible source; Snow did not seek out Owens or request a podcast appearance."

Note the framing. He calls it a "jurisdictional characterization." His filings consistently fight over where he was and who called whom, and never over what he possesses.

responding to an unsolicited source inquiry and participating in one requested remote interview. Rule 8 and due process do not permit a preexisting dispute between other parties to be converted into jurisdiction or liability against Snow merely because Owens later used, framed, repeated, or monetized a source's information. See *Boxill v. O'Grady*, 935 F.3d 510, 518 (6th Cir. 2019).

C. Conspiracy jurisdiction does not cure the missing forum connection.

Even assuming Tennessee conspiracy jurisdiction applies, Plaintiff must sufficiently allege an actual agreement. *Chenault v. Walker*, 36 S.W.3d 45, 53-56 (Tenn. 2001). First *Community Bank, N.A. v. First Tennessee Bank, N.A.*, 489 S.W.3d 369, 395-400 (Tenn. 2015), later rejected a prima facie conspiracy-jurisdiction showing where the allegations did little more than describe relationships and created only suspicion or conjecture rather than an agreement alleged with reasonable particularity. Here, Plaintiff identifies no agreed defamatory proposition, words of agreement, shared knowledge of falsity, or facts showing that Snow agreed to Owens's later titles, framing, repetition, or conclusions. Communication between a source and publisher, followed by an interview, is at least equally consistent with lawful conduct. See *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 556-57 (2007).

1 The fundraiser does not supply the missing agreement. Episode 282 places Owens's first on-air fundraiser announcement after Snow's substantive interview; Snow signs off shortly thereafter, and Owens expands the announcement after he leaves. ECF No. 33-1. Plaintiff's characterization of the fundraiser as evidence of a preexisting financial quid pro quo is also inconsistent with the chronology set out in Snow's Supplemental Declaration: the following day Snow rejected accepting the donations because he feared that receiving money connected to his appearance could create the impression that he was profiting from his account; Snow has never received the proceeds; and after this litigation later created legal expenses, Snow sought control of the fundraiser but, once the immediate opportunity to retain counsel for pending deadlines had

EXHIBIT 9 - Snow Reply Brief, page 3

Dkt 38, filed 08/31/2026, PageID #849. Pro se.
Why it matters: the fundraiser chronology as Snow presents it to the court.

1 Fundraiser section

"Episode 282 places Owens first on-air fundraiser announcement after Snow substantive interview; Snow signs off shortly thereafter... the following day Snow rejected accepting the donations because he feared that receiving money connected to his appearance could create the impression that he was profiting from his account; Snow has never received the proceeds; and after this litigation later created legal expenses, Snow sought control of the fundraiser but, once the immediate opportunity to retain counsel for pending deadlines had..." (page 4 continues: "effectively passed, requested that donations be returned where possible").

This is the account the court has. Exhibit 19 shows what he told the public on 11 July 2026: that he and his partner "decided to accept the fundraiser" and would welcome further donations.

EXHIBIT 10 - Snow Exhibit A, Episode 282 timestamps, page 2

Dkt 33-1, filed 08/10/2026, PageID #810. Filed by Snow as the record of what was said on air.
Why it matters: Snow himself put the broadcast timeline into evidence.

1 4. 1:03:25 - Snow states that he "didn't know what was going to happen" during the following twenty-four hours and describes the timing as something he only understood in hindsight.

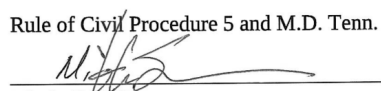
2 5. 1:07:48 / 1:11:42 - Snow has left the interview before Owens later states her own broader conclusions concerning government involvement and a cover-up.

3 6. 1:07:02 / 1:07:48 / 1:10:07-1:10:43 - Near the conclusion of the interview, after Snow's substantive testimony, Owens first states on air that she intends to put together a fundraiser for Snow. Snow signs off at approximately 1:07:48. After he is off the program, Owens repeats and expands the announcement, stating that she will create a GiveSendGo and hopes it can assist with legal costs. This sequence places the first on-air fundraiser reference after Snow's substantive testimony, not before it.

The foregoing selections are intentionally limited. They are offered only to identify portions of the publication directly bearing on the Complaint's Snow-specific allegations, contextual-implication theory, and the pleaded conspiracy theory. They are not offered to establish the contents of the separate December 8 private call or any off-air communications.

CERTIFICATE OF SERVICE

I certify that on 10 August, 2026, I submitted the foregoing through the Court's Pro Se Electronic Filing Portal for docketing. Upon docketing, the Notice of Electronic Filing generated by CM/ECF constitutes service on registered Electronic Filing Users under M.D. Tenn. L.R. 5.02(a). Any person not served electronically will be served as required by Federal Rule of Civil Procedure 5 and M.D. Tenn. L.R. 5.01.


Mitchell H. Snow

1 Item 4

At 1:03:25 Snow "states that he didn't know what was going to happen" during the following twenty-four hours. He relies on this to show he made no foreknowledge claim.

2 Item 5

At 1:07:48 Snow leaves. At 1:11:42 Owens states "her own conclusions concerning government involvement and a cover-up." This is the separation his defence is built on.

3 Item 6

The fundraiser sequence. First on-air mention at 1:07:02, after his testimony. He signs off at 1:07:48. Owens expands the GiveSendGo announcement at 1:10:07-1:10:43 after he is gone. "This sequence places the first on-air fundraiser reference after Snow substantive testimony, not before it."

Snow adds a caveat on this same page: the exhibit "is not offered to establish the contents of the separate December 8 private call or any off-air communications." The 8 December call is where the strongest evidence against him lives (Exhibit 27).

Snow was served on July 20, 2026. This Motion is filed within the sixty-calendar-day period in Tenn. Code Ann. § 20-17-104(a). If the Court calculates that period differently, Snow alternatively requests leave under § 20-17-104(b) to file at this time. The issue has been raised while Snow's threshold Rule 12 motion remains pending, before merits discovery, and without prejudice to Plaintiff's ability to respond.

I. QUESTIONS PRESENTED

1. Whether Counts IV and V are based on, relate to, or respond to Snow's exercise of the right of free speech concerning matters of public concern.

2. Whether Plaintiff can establish a prima facie case against Snow from the communications actually attributable to Snow, rather than from paraphrases that remove qualifications, change referents, combine speakers, and add an assassination-plot conclusion Snow did not state.

3. Whether Plaintiff can establish a Snow-specific unlawful agreement supporting civil conspiracy, where the Complaint itself alleges that Owens contacted Snow, the recorded interview discloses uncertainty and nonconfirmation, and Owens supplied broader conclusions of her own.

4. Whether, notwithstanding contrary decisions from this District, any TPPA remedy may be applied consistently with Rules 12 and 56 and the Rules Enabling Act.

II. RELEVANT ALLEGATIONS AND RECORD

Plaintiff alleges that Snow is a Washington resident. Compl. ¶ 8. The observation underlying the disputed publication occurred at Fort Huachuca, Arizona. Id. ¶¶ 36-42. Plaintiff is alleged to be a Texas citizen. Id. ¶ 7. The Complaint identifies a December 8, 2025 telephone call and Snow's

EXHIBIT 11 - Snow TPPA Memorandum, page 2 (Questions

Dkt 41, filed 09/07/2026, PageID #859. Pro se.

Why it matters: he frames the whole case as a paraphrase problem.

1 Question 2

Whether Harpole can make his case "from the communications actually attributable to Snow, rather than from paraphrases that remove qualifications, change referents, combine speakers, and add an assassination-plot conclusion Snow did not state." This is the core defence: the qualifier was dropped.

2 Question 3

Notes that "the Complaint itself alleges that Owens contacted Snow, the recorded interview discloses uncertainty and nonconfirmation, and Owens supplied broader conclusions of her own."

The paraphrase defence is well supported for Episode 282 itself. It says nothing about what he published on X after the broadcast, which is where the assassination framing appears in his own voice (Exhibits 16 and 18).

attended the alleged meeting—yet she continued to publish and amplify Snow’s story. Compl. ¶¶ 60–62, 155. The timing and content of her electronic communications are therefore central to the question of actual malice.

Notice and posture. Owens has been on notice of this dispute for months. On December 16, 2025, she publicly stated her belief that Harpole would sue her. Compl. ¶ 48. Plaintiff’s counsel emailed a pre-suit demand letter to Owens and her attorney on April 22, 2026, and filed this action on April 30, 2026. During the meet-and-confer process, on June 22, 2026, Owens’s counsel stated that she “will oppose any motion seeking a preservation order at this time.” Defendant Snow has yet to be served, but Plaintiff expects that he, like other relevant individuals who have been served similar letters,¹ will similarly oppose the Motion.

Each category of evidence described above is created, transmitted, received, and stored on cellular telephones and electronic devices within the possession, custody, or control of Owens and Snow. Much of it exists nowhere else. Because it consists of electronically stored information

¹ Social media, especially X, provides a home for a small sub-culture of Charlie Kirk conspiracy theorists – the most prominent, other than Ms. Owens, are co-Defendant Mitchell Snow (who is the apparent originator of the fabricated Fort Huachuca story), Elizabeth Lane (who recently interviewed Ms. Owens about the Charlie Kirk murder), Baron Coleman (who was served a preservation letter), Stew Peters (who was served a preservation letter but posted it to X and publicly claimed he would not comply), and Blake Bednarz (who was also served a preservation letter but in response deleted his X account). Emails, text messages and other communications between and among the Defendants and these third-party witnesses must be preserved. But these are conspiracy theorists operating in the unaccountable shadows of social media – no doubt communications have been deleted.

¹ Ms. Owens also created a legal defense fund for co-Defendant Snow in connection with his appearance on her podcast, which has raised \$150,422 to date. *See For Mitch*, GiveSendGo, <https://www.givesendgo.com/candacepodcast> (last visited June 22, 2026).

² Finally, Defendant Snow publicly stated he “gave everything to Candace Owens.” *See* Exhibit A. He further publicly stated that “the phones [plural] are locked up in safety deposit.” *See* Exhibit B. Whatever “everything” means and whatever “phones” he is talking about need to be completely and immediately preserved.

EXHIBIT 12 - Harpole Preservation Motion, page 5

Dkt 24, filed 07/02/2026, PageID #134. Time-sensitive motion to preserve devices. NEVER RULED ON.
Why it matters: the plaintiff went to court over the very photographs and phones Snow describes publicly.

1 GiveSendGo

"Ms. Owens also created a legal defense fund for co-Defendant Snow in connection with his appearance on her podcast, which has raised \$150,422 to date. *See* For Mitch, GiveSendGo, <https://www.givesendgo.com/candacepodcast> (last visited June 22, 2026)." A dated, court-filed reading of the fundraiser total.

2 The phones

"Defendant Snow publicly stated he gave everything to Candace Owens. *See* Exhibit A. He further publicly stated that the phones [plural] are locked up in safety



EXHIBIT 13 - Snow X post filed in court as Exhibit A to Dkt

Dkt 24-1, filed 07/02/2026, PageID #144. A screenshot of the post captured and filed by plaintiff counsel. This is visual confirmation of the post, authenticated by its presence in the court record.

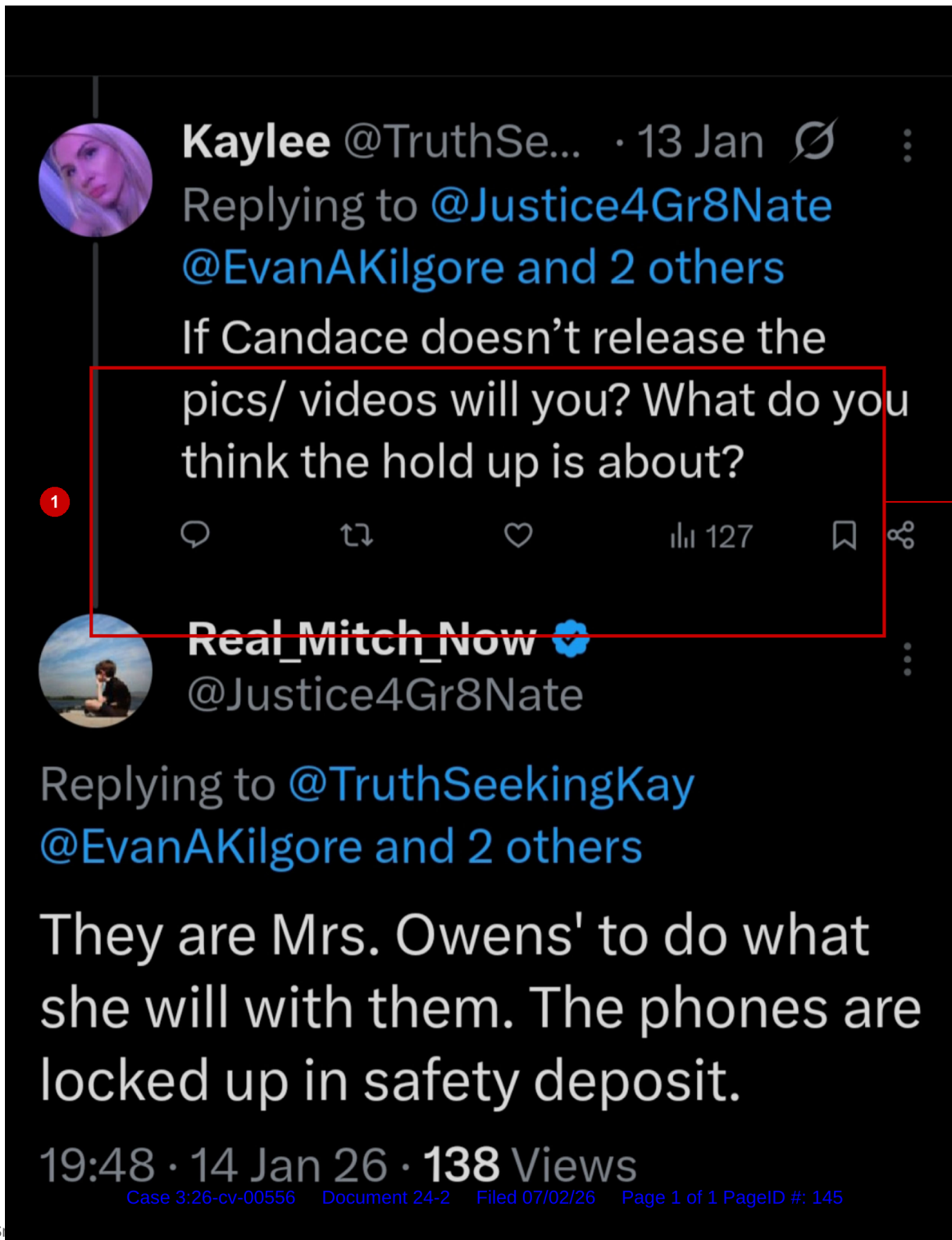
1 The post

Asked directly by @kelsealou whether he has "pictures or videos of Erika Kirk in a hotel lobby near Fort Huachuca", Snow does not deny having them. He corrects the location and answers: "I was at the Candlewood suits which is ON Ft. Huachuca. I gave everything to Candace Owens." Posted 23 April 2026.

A denial would have been one word. Instead he corrects a geographic detail and confirms transfer to Owens. This is the pattern set out in Section 6: never confirm content, never deny possession.

EXHIBIT 14 - Snow X post filed in court as Exhibit B to Dkt

Dkt 24-2, filed 07/02/2026, PageID #145. Screenshot captured and filed by plaintiff counsel.
Post dated 14 January 2026, 19:48.



1 The post

Asked "If Candace doesn't release the pics/videos will you? What do you think the hold up is about?", Snow answers: "They are Mrs. Owens' to do what she will with them. The phones are locked up in safety deposit." Two assertions: the imagery exists and belongs to Owens, and the devices are in a safe deposit box.

This post and Exhibit 13 are the two the plaintiff put before the court to justify a preservation order. Six months later Snow said the devices were at the bottom of a river (Exhibit 20). Both statements cannot describe the same objects.

EXHIBIT 15 - X post, 6 January 2026

Account: @Ft_Banana_Snow (display name "Real_Mitch_Now"), the account Snow uses on the docket email [email redacted]
Reply to @TimothyTemper. Archived in case file: collected/x_timeline_ft_banana_snow/posts.jsonl (1,827 posts captured 2026-09-06)

Mitch Snow (@Ft_Banana_Snow)
POST TEXT (verbatim)

@TimothyTemper @ConservativeG99 Photo. Video calls. Video. Architecture, lobby, dinning area, parking lot, vehicles, license plates, drones.... lots of background. Took all in HD. Lots of zoom. Nice desert. Nice long views.
https://x.com/Ft_Banana_Snow/status/2008338277217263995

ANALYST NOTATION

Nineteen days after the broadcast, this is the first detailed inventory of what he says he captured. Note the evidentiary vocabulary: "vehicles, license plates, drones", "Took all in HD", "Lots of zoom". Nothing here describes scenery. License plates and zoom describe an attempt to record identifying detail. Compare with Exhibit 28, where four days later he tells an interviewer his phones were in a backpack he had surrendered and he took nothing.

This post is the earliest anchor for the public impression that he holds imagery capable of proving who was at Fort Huachuca.

EXHIBIT 16 - X post, 24 February 2026

Account: @Ft_Banana_Snow. Reply to @OneKnightFury. Archived in case file:
collected/x_timeline_ft_banana_snow/posts.jsonl (1,827 posts captured 2026-09-06)

Mitch Snow (@Ft_Banana_Snow)

POST TEXT (verbatim)

@OneKnightFury We will see. All photos and videos I took those days are for Mrs. Owens to use as she needs to find the answers she needs. Statute of limitations on conspiracy to murder are forever. But so are pardons. Patience is what will obtain justice, even if it takes to 2028.

https://x.com/Ft_Banana_Snow/status/2026399879556370537

ANALYST NOTATION

Two moves in three sentences. First, he confirms he took photographs and videos and transferred their use to Owens. Second, he attaches them to a criminal frame: "Statute of limitations on conspiracy to murder are forever." He is telling his audience that what he holds bears on a murder conspiracy. His sworn declaration at Exhibit 5 tells the court he never made an assassination claim.

This is the clearest single post linking his claimed imagery to the accusation the lawsuit is about.

EXHIBIT 17 - X post, 2 April 2026

Account: @Ft_Banana_Snow. Reply to @SleepyJoesDOJ, who had joked about "postcards from your trip to Ft Huachuca". Archived in case file: collected/x_timeline_ft_banana_snow/posts.jsonl (1,827 posts captured 2026-09-06)

Mitch Snow (@Ft_Banana_Snow)
POST TEXT (verbatim)

Ok that is funnier than you know. They took, searched my phones, returned them. Same with my records and extra clothes. But I had purchased 2 cards in Sierra Vista that morning while getting coffee. Somehow they disappeared during events. But phots and vids were deemed perfectly fine. Taken in natural areas that everyone else does. That one self proclaimed journalist proved its totally legal and allowed to take pictures and vids there. Whats on images was caught naturally and unintrusively.
https://x.com/Ft_Banana_Snow/status/2039494460682424389

ANALYST NOTATION

The operative sentence is the last one: "Whats on images was caught naturally and unintrusively." The phrase "what is on images" only makes sense if something of consequence is on them. He also asserts that military police searched and returned his phones and cleared the photographs, which is a checkable claim that the Fort Huachuca incident report does not mention.

Read with Exhibit 28. There he says the phones were inside the backpack during the sighting, which would mean nothing was on them from that moment.

EXHIBIT 18 - X post, 1 May 2026

Account: @Ft_Banana_Snow. Original post, the day after the complaint was filed. Archived in case file: collected/x_timeline_ft_banana_snow/posts.jsonl (1,827 posts captured 2026-09-06)

Mitch Snow (@Ft_Banana_Snow)

POST TEXT (verbatim)

Just to let everyone know, Amy & I are ok. My ex filed suits claiming I should be thrown in jail and she should get all my assets and income because her attempts to stalk me, harass me, lie about me, extort me have failed.

So my phone was off as I had to reply to that stupid mess. When I picked it up, I had 80+ texts from everyone asking if we are ok because Brian Harpole wants to sue me in Tennessee because he can't prove he was not in Arizona while using a lawyer from Florida thats not licensed to practice in Tennessee.

Where they want TN to claim jurisdiction on me, because I live in Washington state.

I am not a lawyer. But it seems the crazy people in this world who have blood on their hands are realizing their Judgement day is close. CIK. Grab your popcorn.

https://x.com/Ft_Banana_Snow/status/2050248259390837086

ANALYST NOTATION

Two things to mark. He describes the jurisdiction argument accurately a full three months before filing it, which bears on Section 9. And he closes by saying "the crazy people in this world who have blood on their hands are realizing their Judgement day is close" in a post whose subject is Brian Harpole suing him. That is an accusation of blood guilt aimed at the plaintiff, published in his own voice.

His filings tell the court he never accused Harpole of participating in a killing. This post is not the broadcast; it is him, four months later, unprompted.

EXHIBIT 19 - X post, 11 July 2026

Account: @Ft_Banana_Snow. Original post. Posted nine days after the preservation motion (Exhibit 12) and nine days before he was served. Archived in case file: collected/x_timeline_ft_banana_snow/posts.jsonl (1,827 posts captured 2026-09-06)

Mitch Snow (@Ft_Banana_Snow)

POST TEXT (verbatim)

Unbelievable. It has been absolutely unbelievable how ugly people get because I won't just hand over my property.

"Give me your pictures. Just release them. Let me see a copy. Give them up or I will run a bad story about you."

We have heard it all. Even attorneys offering representation if I hand over the photos and the fundraiser.

I will release them at a time of my choosing at a time of most benefit to me and the nation.

And since I gave them to Candace Owens & did so under unsolicited promise, I will not release them to anyone unless she approves. They are hers. I am holding them. Or have them safely tucked away.

No man, no judge, no president can compel me to violate my promise and personal contract.

They may try. Let them make fools of themselves doing it. If there is one thing god made me for, its enduring suffering. Let them show themselves for the cowards they are. They'd harm or kill for photos.

Seems they'd also fabricate AI videos just to kill a second time.

Oh since I am a claimed grifter... claimed dodger of service as I hang out at courts, city council meetings, police stations, media events... Amy and I have decided to accept the fundraiser by Candace Owens.

We do so humbly. We have heard directly from donors and how dishonored they would feel if we did not. The funds will be needed it seems. To bloody these people in court.

It will take much more than what has been donated so far. Because their attorney is a continuance addict.

If anyone else wants us donate, we humbly accept and promise it to a good cause of counter suits and maintaining far better awareness than that security team.

CIK

https://x.com/Ft_Banana_Snow/status/2075800296069210276

ANALYST NOTATION

The most important single post in the file, because it does two things his filings do not. On the imagery: he confirms he holds it, confirms he gave it to Owens, and states he will release it "at a time of my choosing at a time of most benefit to me and the nation", adding that "no man, no judge, no president can compel me". That is a public statement of intent to withhold material from a court. On the money: "Amy and I have decided to accept the fundraiser by Candace Owens" and "If anyone else wants us donate, we humbly accept."

Seven weeks later he swore at Dkt 39 that he had asked for the donations to be returned. Both can be true in sequence. What cannot be reconciled is this post against his 18 July post one week later saying "We are not asking" (Exhibit 21), and against his 6 September claim that he had wanted refunds "from first notice until now" (Exhibit 24).

EXHIBIT 20 - X post, 13 July 2026

Account: @Ft_Banana_Snow. Reply to a supporter advising him to make copies of the photographs.
Archived in case file: collected/x_timeline_ft_banana_snow/posts.jsonl (1,827 posts captured
2026-09-06)

Mitch Snow (@Ft_Banana_Snow)

POST TEXT (verbatim)

1. Original recording devices were sealed in plastic after being drained & shut off, batteries removed.
2. Then put into faraday bags.
3. Locked in a water tight sealed box.
4. Taken to bottom of a water channel 40 feet deep, in fast low vis water, under a boulder that I and 2 others only know how to get to and approach. Bring snacks for the sturgeon hanging there.
5. I love river diving. No mater how hard you try, it always becomes a solo dive. If you are not a local and very familiar, you have no chances of getting to them. Even being a local, it could take you a thousand dives.
Good hunting. I will be watching from the beach if you try.
6. Copies have been made. Dead drops set. Instructions for locating original devices have been given to 1 trusted person with the names of the other 2 who will know the spot once shown the reference.
7. Good luck trying to litigate a treasure hunt that will expire in 2028.
8. Think I am joking, ask Dave at Underwater Adventures in Kennewick. He will tell you what little I know about solo diving. He will verify that no one has a chance unless they know more details. I am sure he'd love to take some fed sloppers on a hunting expedition. Be careful, rivers are dangerous dives for those who suck at simple security.

Everyone thinks I had all the pictures of people and places on my phone. Silly.

I have shown all pictures on my phone.

https://x.com/Ft_Banana_Snow/status/2076536148265198054

ANALYST NOTATION

He describes placing the original recording devices in Faraday bags inside a sealed box at the bottom of a 40-foot water channel, with copies made and "dead drops set", and ends: "Good luck trying to litigate a treasure hunt that will expire in 2028." This is published eleven days after the plaintiff asked the court to order preservation of exactly those devices.

Whether or not the description is literally true, it is a public statement that he has placed evidence beyond the reach of the litigation. A court weighing spoliation would read it that way.

EXHIBIT 21 - X post, 18 July 2026

Account: @Ft_Banana_Snow. Original post, seven days after Exhibit 15. Long post; opening reproduced verbatim. Archived in case file: collected/x_timeline_ft_banana_snow/posts.jsonl (1,827 posts captured 2026-09-06)

Mitch Snow (@Ft_Banana_Snow)

POST TEXT (verbatim)

For the record, I asked for Justice for me and my son. Expose corruption in courts that are affecting normal people.

I never asked for a dime.

When a fundraiser was started, I immediately said "No", thank you but no thank you. My integrity is not for sale. Period.

However, many donated. We have read every post. We copy off the well wishes and save them. Learning of the intent of donors has relieved me of my pride. We are grateful and will do right by the wishes of those supporting us.

Since that fundraiser began, those who seek to harm Candace Owens have involved themselves to attack my personal life, sent people to break into my home, use ex's as proxy for abusive litigation, sent people to kill us on more than one occasion, solicited public to do us harm or death.

Worry not. We have remained ahead of their ineptitudes. It has come at substantial cost. To include meritless lawsuits seeking to control pictures.

Where these nefarious cowards who are lying to kill a 22 year old kid, have been deploying alias accounts to wage personal attacks claiming we are soliciting donations and thus we are grifters.

Interesting. These millionaires & billionaires and multi million dollar foundations do not merely beg for money to support their corporate welfare lives, they demand it. They waste the public dollar to pay for campaigns to rake in more using any sympathy possible.

@MichaelSco91847 who seems to b @AndrewKolvet

@TobyHater who we know...

@blakesneff ...

The list goes on a [...]

https://x.com/Ft_Banana_Snow/status/2078349021064855765

ANALYST NOTATION

Compare the first lines with Exhibit 19, published seven days earlier. Here: "I never asked for a dime. When a fundraiser was started, I immediately said No... We are not asking. We are not begging for people to give us money." There: "we have decided to accept the fundraiser... If anyone else wants us donate, we humbly accept." The two posts are irreconcilable as statements of his position in that week.

The sworn account at Dkt 39 is closer to this post than to Exhibit 15. Both are public and both are his.

EXHIBIT 22 - X post, 21 July 2026

Account: @Ft_Banana_Snow. Reply in a thread about the fundraiser. Archived in case file: collected/x_timeline_ft_banana_snow/posts.jsonl (1,827 posts captured 2026-09-06)

Mitch Snow (@Ft_Banana_Snow)

POST TEXT (verbatim)

Yawn. Yes. We know know. It could be explained a thousand tomes in a thousand ways and they will expend all effort to lie, twist, misrepresent facts then make up gotcha allegations. They are tiresome. Ms. Owens has the GFM. She has our bank info. When she sends it, she sends it. For us, we want to express the gratitude we feel to those donating and leaving messages and prayers.

These two are operating off info from the women Gary platformed. Thats a big mistake.

They have stated I got money, bought a house and have sent teams of lawyers after them.
All just a fabricated bunch of bs.

All of this has cost us over \$56k since December for security from the crazy loons.

Police said if they show up again, to put enough holes in them so that they don't have to do so much paperwork.

But no, we have not recieved donations yet. I am sure CO has good reasons. We will see.

https://x.com/Ft_Banana_Snow/status/2079711478039609527

ANALYST NOTATION

"Ms. Owens has the GFM. She has our bank info. When she sends it, she sends it." He is describing himself as waiting to be paid, and he says the bank details went to Owens rather than to the platform. That detail matters: it is consistent with the GiveSendGo record at Exhibits 30 and 32, which shows no verified recipient was ever registered on the campaign.

This is the single strongest public statement against the framing that he wanted nothing to do with the money. It is also the statement that best explains why the funds never moved.

EXHIBIT 23 - X post, 12 August 2026

Account: @Ft_Banana_Snow. Reply to a supporter urging him to release images. Archived in case file: collected/x_timeline_ft_banana_snow/posts.jsonl (1,827 posts captured 2026-09-06)

Mitch Snow (@Ft_Banana_Snow)

POST TEXT (verbatim)

Thankyou for kind words.

But please tell me you are not attempting the guilt trip on me.

Erika Kirk being proven at Ft. Huachuca on 9/8/25 would prove what in the TR case?

Nothing. Only that she delivered lunch to her mom at the base she grew up on.

Yes such pictures would be sensational. Dipshits frauds like @Valhallachannel and @imelizabethlane would pander superchat charity for replaying them to entertain you. But, they do nothing to TR case.

The photos you want are not what is needed.

What is needed is the recordings from AXEL10/HADES/DRONES/SAM702.

I don't have those. You do. You all do. They are yours. You all paid for them. Go demand them.

The equipment on N1098L may be Classified, BUT it was deployed and used on AMERICAN SOIL AGAINST AMERICAN CITIZENS in violation of the Posse Commetatus Act.

Meaning those operating it and those on the SAM702 & Hangars connected to it violated the law.

Go demand your pictures from your Congressman & Senator.

Those pictures & recordings can prove Tyler Robinson did not shoot Charlie Kirk, while simultaneously prove who did.

I am not releasing anything for clicks, attention, money or popularity. Especially not so any Blake may use them to cash in more on CKs death.

Eff everyone of them doing that.

Even after you get those AXEL10 recordings, there must not be use of PARDONS.

Meaning 2028 becomes very important.

Go prove you are worthy of more. Go use whats been proven. Go demand your pictures you own and the Government broke the law creating.

https://x.com/Ft_Banana_Snow/status/2087500245966229527

ANALYST NOTATION

He does not deny holding pictures of Erika Kirk at the base. He says "Yes such pictures would be sensational", then argues they would not help Tyler Robinson and redirects the audience to flight and drone records. He also states "I am not releasing anything for clicks, attention, money or popularity."

The rhetorical structure of every one of these posts is the same: never confirm the content, never deny possession, always defer release. It sustains the impression of proof without ever producing any.

EXHIBIT 24 - X post, 6 September 2026

Account: @Ft_Banana_Snow. Reply to a donor who asked directly whether he ever received the funds. Posted six days after his sworn Dkt 39. Archived in case file: collected/x_timeline_ft_banana_snow/posts.jsonl (1,827 posts captured 2026-09-06)

Mitch Snow (@Ft_Banana_Snow)

POST TEXT (verbatim)

No. Not yet. If they will be used as excuse for nefarious persons to file meritless lawsuits in order to gag me or tie me up in abusive litigations, then I have elected from first notice until now to have the money returned to donors.

I would rather it be returned than line the pockets of ambulance chasing attorneys.

I know there are nefarious DOD paid welfare podcasters and other DOD welfare agents looking to narrate in order to distract you all from what should really matter.

I suggest you all start wising up and turn the channel. They literally don't know anything and they keep proving that. Unfortunately they keep proving their audiences are not just DOD sicophants, but also idiots.

Their worst fear is that you all just walk away and stop listening to their fedslop.

https://x.com/Ft_Banana_Snow/status/2096418879153291596

ANALYST NOTATION

The donor asked: "Many people donated to a Give Send Go for you... Were those funds sent to u?" His answer, "No. Not yet", corroborates the sworn statement that he received no proceeds. The next clause does not survive his own record: "I have elected from first notice until now to have the money returned to donors." On 11 July he publicly accepted the fundraiser and solicited more donations (Exhibit 19).

This is a false statement to the public about his own past position. It is not sworn, so it is not perjury; it is direct evidence of a willingness to misdescribe the record when it is convenient.

EXHIBIT 25 - Candace Owens Episode 282, 18 December 2025

The broadcast the lawsuit is about. Runtime 1:15:06. YouTube ewBzjVe3LNQ, 2.72M views.
Transcript archived at collected/transcripts/ewBzjVe3LNQ_candace_ep282.txt

CANDACE OWENS, describing what Snow sent her

TRANSCRIPT (verbatim)

"[F]or those of you that thought that this person was making it up, he was apparently not familiar with metadata... And he had not sent me the photos that he took that morning on the base. So, he tells a story. I stepped outside. I got coffee... He was sort of documenting himself while he was on the base. So, he sends me over all this stuff and I literally was able to confirm with the metadata uh where he was, exactly wha[t time]..."

Later, on the identification:

"I can confirm everything with metadata. Um I obviously can't confirm that you saw who you say you saw. If you had to put it at a percentage that you saw Brian Harpole, what percentage would you put it at?"

<https://www.youtube.com/watch?v=ewBzjVe3LNQ>

ANALYST NOTATION

This is the origin of the phrase "overwhelming evidence with metadata and time stamps" that Owens tweeted on 23 December and that the whole story rests on. Read what it actually covers: coffee, self-documentation, where he was and what time. Owens says in the same breath that she cannot confirm he saw who he says he saw. The metadata proves his presence. It was never offered as proof of anyone else being there.

Every later public claim that the photographs bear on who was at the base departs from what the broadcast itself said the material was.

EXHIBIT 26 - Episode 282, the identification itself

Same broadcast, approx. 55:32-57:01. This is the passage the defamation count is built on.

MITCH SNOW, then OWENS
TRANSCRIPT (verbatim)

SNOW: "[T]he head of security there, he was one of the people walking out with the congressman. Now, how would I know that? I just have a gift for recognizing people. And yeah, maybe it's not him. Maybe [a] doppelganger, but somebody with the same mannerisms, the same crick in his neck, face, waxy look on his face, hand gestures, shoulder shrug, gate, approximate height, haircut definitely walked past me."

OWENS: "If you had to put it at a percentage that you saw Brian Harpole, what percentage would you put it at?"

SNOW: "95." OWENS: "95%. Okay." SNOW: "95 to 99."

SNOW, at approx. 1:03:25: "I obviously didn't know what was going to happen the next 24 hours."

<https://www.youtube.com/watch?v=ewBzjVe3LNQ>

ANALYST NOTATION

Snow's sworn account of this passage (Dkt 42 para. 6, Exhibit 6 of this report) is accurate. He did say "maybe it's not him", he did raise a doppelganger, and he did give 95 to 99 rather than certainty. His paraphrase defence at Exhibit 11 is well founded on this text: the complaint reproduces "definitely walked past me" while dropping the qualifier that precedes it.

On this point the record supports Snow, not the plaintiff. A fair report of this case has to say so.

EXHIBIT 27 - Candace Owens Episode 277, 9 December 2025

The day after the first phone call. Owens relays the call to her audience. YouTube t4U7NjnUEgc.
Transcript archived at collected/transcripts/candace_ep277_charlie-kirks-last-trip-to-asia_t4U7NjnUEgc.md

CANDACE OWENS, quoting Snow from their 8 December call

TRANSCRIPT (verbatim)

On how the call happened:

"It was a young woman and she said, 'You really should call my friend...' Five minutes, not even five minutes after this email hit my inbox, I was calling this person."

Quoting Snow directly:

"He said, 'You know, I watch your stuff and I can't believe that you got this email.'"

Quoting Snow on the meeting he says he walked in on:

"[H]e said, 'Canis, I know how these meetings work. These are the meetings that are had ahead of an operation. Like when an operation is being confirmed, you have these final meetings and they involve all of the higherups and you are trying to do this in a very isolated location...'"

<https://www.youtube.com/watch?v=t4U7NjnUEgc>

ANALYST NOTATION

Two findings, one helpful to Snow and one damaging. Helpful: Owens confirms she made the call after a third-party email, which matches his sworn paragraph 7. Damaging: she quotes him saying "I watch your stuff" on 9 December 2025. He swore at Dkt 39 para. 3 that before Episode 277 he "had not watched episodes of her program." And she quotes him characterising the meeting as one held "ahead of an operation", which is difficult to square with the unqualified first sentence of Dkt 42 para. 7.

This is hearsay: Owens relaying Snow. Its weight comes from timing. It was broadcast the day after the call, five months before any lawsuit, with no motive to manufacture either detail. Snow himself repeats the first admission in his own voice at Exhibit 28.

EXHIBIT 28 - Diligent Denizen interview, 10 January 2026

X Space, later posted to YouTube as XcY_R0qWRo0. Runtime 3:36:16. Snow interviewed at length. Transcript archived at collected/transcripts/XcY_R0qWRo0.txt. Timestamps are proportional estimates from caption position; verify against the video before use in a filing.

MITCH SNOW, questioned by the host

TRANSCRIPT (verbatim)

On whether he recorded anything at the moment of the sighting (approx. 2:05:47):

HOST: "[D]id you at any time between the time you left the building and what you're describing right now, message your wife, video call, record anything? ...did you videotape the cars out there or anything?"

SNOW: "No, I wish I had."

On where his phones were (approx. 2:07:19):

HOST: "Did they ask you for your phone?"

SNOW: "Uh actually, I'm sorry about my phones. Now, they were in I put them in with my bag uh as I went in the first time.

So, they were in the top flap of my my backpack, which they had me leave there. So they they were in possession of those."

HOST: "So in the building you left your phones in the building in the bag."

SNOW: "Okay. Yep. Um so yeah, I didn't get to I wish I'd record all this stuff."

On whether he had watched Owens before December (approx. 2:31:51):

"And you know, I've watched Candace Owens a few times. You know, she's great lady."

https://www.youtube.com/watch?v=XcY_R0qWRo0

ANALYST NOTATION

The single most damaging passage in the public record, and it is Snow speaking without adversarial pressure. Four days after telling X he took photographs "in HD" with "lots of zoom" of "vehicles, license plates" (Exhibit 15), he tells an interviewer that both phones were locked inside a backpack in the custody of the building he had just been removed from, and that he recorded nothing and wishes he had. Those two accounts cannot both describe the 9 September sighting. The same interview also has him saying he had watched Owens before December, against his sworn Dkt 39 para. 3.

This is the passage that converts "he has never confirmed what the photos show" into "by his own account there is nothing of the meeting to show."

EXHIBIT 29 - Black Line Brief, 25 April and 2 May 2026

Two long-form interviews with Snow as guest. YouTube _mmX3deEj3o (2:54:33) and mup0udX3CqY (3:01:32).
Transcripts archived at collected/transcripts/. Timestamps are proportional estimates.

MITCH SNOW, to host Matt McKim
TRANSCRIPT (verbatim)

25 April, approx. 0:05:11, asked whether he took pictures at the Candlewood Suites:

"Yes. I mean, yes, I took pictures. I took pictures everywhere I went. Um I offered those to uh to Miss Owens. And you know, it was a gift... everything that I got is is for her to use."

Asked whether the base-sign photo Owens had aired was his:

"I don't know if that came from my room or or if it was Just like a generic one."

25 April, approx. 2:16:15, on the detention itself:

"I wish I had had like a video or somebody with me videotape."

2 May, approx. 0:50:18, asked what made him capture images of the people:

"I can say that there was nothing of intent for me to capture um other people uh intentionally. It wasn't my purpose... but you know inadvertently things happen, you know, and somebody comes walking around a corner and almost bumps into you."

2 May, approx. 0:47:01: the host says "It's all got metadata. It's timestamped and things like that." Snow answers: "Yeah."

https://www.youtube.com/watch?v=_mmX3deEj3o | <https://www.youtube.com/watch?v=mup0udX3CqY>

ANALYST NOTATION

Four months of interviews and the description keeps shrinking. He took pictures "everywhere I went", but he cannot say whether the one image Owens aired was even his; he wishes he had filmed the detention; and he had no intent to capture anybody, only an accidental near-collision in a hotel lobby the night before. The metadata assertion in this batch belongs to the host, not to Snow, who simply assents.

At no point in any interview located does he say that a photograph or clip shows Brian Harpole, Erika Kirk, the congressman, or anyone from the 9 September group.

EXHIBIT 30 - Control test: the GiveSendGo recipient field

Method: each campaign page was fetched and its embedded page-state parsed for the campaign object. All campaigns share the same 22 keys and the same settings block; there is no "hide recipient" option. Eleven controls, two site schemas, fetched 9 September 2026.

CAMPAIGN	CREATED BY	RECIPIENT FIELD	VISIBLE PAGE TEXT
candacepodcast ("For Mitch")	Candace Owens	null	no recipient line shown
[campaign withheld - private individual]	[private individual]	[name]	owner is recipient
[campaign withheld - private individual]	[private individual]	[name]	"funds will be received by [name]"
[campaign withheld - private individual]	[private individual]	[name]	third-party recipient named
[campaign withheld - private individual]	[private individual]	[name]	owner is recipient
[campaign withheld - private individual]	[private individual]	[name]	owner is recipient
[campaign withheld - private individual]	[private individual]	[name]	owner is recipient
[campaign withheld - private individual]	[private individual]	null	\$0 ever raised
[campaign withheld - private individual]	[private individual]	[name]	received_by populated
[campaign withheld - private individual]	[private individual]	[name]	received_by populated
[campaign withheld - private individual]	[private individual]	[name]	received_by populated

ANALYST NOTATION

Whenever anyone has registered to receive funds, whether the campaign owner or a third party, the field carries a name, and where the recipient differs from the creator the page prints "Fundraiser funds will be received by [name]." The only other empty value in the control set belongs to a campaign that has never raised a dollar. "For Mitch" has raised \$151,932 and has no recipient. Under GiveSendGo's Terms of Service, "funds will only be disbursed to the verified Recipient upon successful completion of GiveSendGo's compliance process", and its help documentation requires a recipient to verify identity, tax ID and a bank account before any transfer can be initiated. On this record no transfer can have been made in the campaign's current state.

Limits, stated plainly: n=11 on a single day. A recipient could in principle have been set, paid and later removed through GiveSendGo support. A pending, unaccepted invitation would also read null. This is strong circumstantial evidence, not proof.

EXHIBIT 31 - GiveSendGo campaign record, captured 9 September 2026 20:59 UT

Live page fetch of https://www.givesendgo.com/candacepodcast through the project rate-limited client.
Raw capture archived at exports/snow_mtd_exhibits/givesendgo_candacepodcast_2026-09-09.html

PLATFORM RECORD - "For Mitch"

PAGE STATE (extracted fields)

Title:For Mitch

Fundraiser created by: Candace Owens

Goal:\$250,000 USD

Raised:\$151,932 USD

Donation count:3,260

Give button:visible=false, disabled=true

Banner:"This fundraiser is not accepting donations at this time."

recipient field:null

Description:"Helping Mitch to pay for some of the legal costs to right the wrongs of his past. The way the United States treats its servicemen is positively despicable..."

<https://www.givesendgo.com/candacepodcast>

CANALYST NOTATION

Two facts and one inference. Fact one: the campaign is closed to new donations. GiveSendGo's own help documentation says a page that stays visible but stops taking gifts is the owner's "Hide donate function" toggle, so Owens closed it rather than the platform pulling it. Fact two: the recipient field is empty. The inference, developed at Exhibits 30 and 32, is that no one has ever been registered to receive this money.

The raised figure has only ever risen: about \$138,000 in late December, \$146,745 on 8 January, \$150,422 in the court filing of 2 July, \$151,932 today. GiveSendGo has stated publicly that the raised total falls when donors are refunded. No refunds have been processed.

EXHIBIT 32 - GiveSendGo campaign record, archived 8 January 2026 04:41 UTC

The only Wayback Machine capture of the page. Old site schema, which exposes more fields.
Raw capture archived at
exports/snow_mtd_exhibits/givesendgo_candacepodcast_wayback_2026-01-08.html

PLATFORM RECORD - "For Mitch", seven months earlier

PAGE STATE (extracted fields)

campaign_added_date: 2025-12-19 23:12:14

campaign_name: For Mitch

created_by: Candace Owens, Nashville, TN

received_by: "" (empty)

recipient: null

campaign_total_amount: 146,745.00

total_given_count: 3,165

available_for_payout: 138,864.70

last_donation_time: 2026-01-07 18:03:42

hide_donate_function: 0 (still accepting donations at this date)

updates: [] (none ever posted)

<https://web.archive.org/web/20260108044101/https://www.givesendgo.com/candacepodcast>

ANALYST NOTATION

This is the strongest single piece of evidence on the money, and it is contemporaneous rather than reconstructed. On 8 January 2026 the campaign had no recipient of any kind and the entire net balance, \$138,864.70, was still sitting on the platform as "available for payout". Nothing had been transferred to anyone. The campaign was created on 19 December 2025, the day after the broadcast and the day Owens said on air she had "just hit publish".

Combined with the identical null recipient today, this narrows the unverifiable window to 9 January to 9 September 2026. Closing that window requires GiveSendGo's records.