



Ryan Hell <ryanbrooklyn2020@gmail.com>

Re: State's response to motion

1 message

Sean Esworthy <sean@wenatcheelaw.com>
To: Ryan Hell <ryanbrooklyn2020@gmail.com>

Wed, Jun 18, 2025 at 4:55 PM

Right now the hearing is set for 6/23 @ 1:30.

In terms of the videos that they provided, there are no threats recorded. They reference a threat in the cell phone video but they do not say what it is and you do not acknowledge making a threat. One of the reports does state that Jeremiah is a dispatcher and volunteer firefighter.

The alleged victims also wrote out statements.

The statement from Jamie Nyenhuis says that the threat was that if they "touched his truck he was going to shoot" them.

The statement from Brandon Huntington says that "he made threats to call people and shoot up the place and said he would come back after he got out of jail."

The statement from Jeremiah Johnson says that "he stated that he was going to leave and get guns, come back and shoot the place up."

The statement from Jana Johnson says that "the man got into my husband's face and told him that someone was going to get hurt and shot if they take his truck."

We are trying to arrange interviews with them to see what they will say the threat was in an interview and if it will be different from what they wrote, which are different from each other.

Just to get on target with what the actual defense is if the case proceeds to trial, there is (1) the threat was not made at all, (2) the threat was made but was made in defense of property, or (3) the threat was made but it was not a "true threat." (2) and (3) can kind of go together, but both are at odds with (1).

In my experience trying to argue that there was no threat made, but if there was, it was in defense or not a true threat is a bit too disjointed.

Also, it sounds like there was a previous offer extended a plea to two counts of felony harassment, and dismissing one count. According to the prosecutor, this results in a score of 1 and a range of 3-8 months with an agreement for the low end of 3 months. He would ask for a 5 year NCO with all the alleged victims. This is not endorsing this one way or the other, just making sure that you had seen it. If convicted of all three, it looks like the range would be 4-12 months.

We can make a counter proposal (or not) if you desire.

I'll do some research on the Brady/discovery issue and see what motions might be available. There are cases like State v. Krenik, 156 Wn.App. 314 (2010) discussing regular discovery violations but the remedies are limited. There is a discussion of Brady in State v. Mullen, 171 Wn.2d 881 (2011).

From: Ryan Hell <ryanbrooklyn2020@gmail.com>
Sent: Tuesday, June 17, 2025 11:35 PM
To: Sean Esworthy <sean@wenatcheelaw.com>
Subject: Re: State's response to motion

Also what is our next appearance for this motion. I have an appointment tomorrow but will check here to ensure I don't miss it

On Tue, Jun 17, 2025 at 11:34 PM Ryan Hell <ryanbrooklyn2020@gmail.com> wrote:

Ok, thanks for the update. Is there anything in these videos of me making these alleged threats? I will watch them myself now if possible but I would like the short answer:

As of last we talked there were no threats made by me in any of the videos you have watched. Can you confirm this is the situation still?

At any rate I'd like to file the aforementioned Brady motion in response to the prosecutors rebuttal of my preservation motion. There are clear reasons why that is pertinent.

Thank you again
RyannHell

On Mon, Jun 16, 2025 at 1:10 PM Sean Esworthy <sean@wenatcheelaw.com> wrote:

Hey Ryan,

I double checked the Dropbox today and it looks three videos were not uploaded. I have uploaded those, to include the front facing dash camera video, and two others that look like they were not uploaded. I also put up a public records request response about the first call which I have uploaded. It does not include the call itself, just the CAD log.

Court is at 1:30.

From: Ryan Hell <ryanbrooklyn2020@gmail.com>
Sent: Monday, June 16, 2025 12:26 PM
To: Sean Esworthy <sean@wenatcheelaw.com>
Subject: Re: State's response to motion

Sean,
I would like you to file a brady motion for the following reasons:

DELIBERATE LOSS / DENIAL OF EXCULPATORY EVIDENCE

LOSS OF MY ORIGINAL 911 CALL FOR MEDICAL AID

1. for several months I hounded the courts, Justin Titus, even Rivercom and Chelan County Sheriffs and the Judges Chambers and Prosecutors office regarding the 911 AUDIO from my initial call. ALL HAD REFUSED ME ACCESS AND ASSURED ME THE AUDIO WOULD REMAIN PRESERVED AND AVAILABLE.

2. ALTERATION OF VIDEOS AND OR (TAMPERING WITH EVIDENCE 9A.72.150)

The videos you and I reviewed inside your office were in fact quite different than those you have shared with me for personal possession after a court motion request the access to my evidence was granted

a. chelan county sheriff deputy could be heard asking the tow driver for the impound bill and two times he distinctly says there is not any money owed and there is no impound.

2. multiple discrepancies are visible in the newest dash cam which appears to be a camera aiming at the floor.

Also what time is court?

Ryan Hell
(267)777-2344

On Fri, Jun 13, 2025 at 9:29 AM Sean Esworthy <sean@wenatcheelaw.com> wrote:
Ryan,

It looks like the State filed this response (attached) yesterday for the hearing for Monday.

Sean R. Esworthy

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