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7 **IN THE ARIZONA SUPERIOR COURT**
8 **FOR THE COUNTY OF PIMA, STATE OF ARIZONA**

9 STATE OF ARIZONA,
10
11 Plaintiff,

12 v.

13 LANE JEFFERY MYERS,
14
15 Defendant.

Case No. CR20251060-001

**AFFIDAVIT OF LANE JEFFERY MYERS IN
SUPPORT OF DEFENDANT'S MOTION TO
DISMISS STATE'S PETITION TO REVOKE
PROBATION PURSUANT TO A.R.S. § 12-751**

Assigned: Hon. D. Metcalf

16
17 **AFFIDAVIT OF LANE JEFFERY MYERS] IN SUPPORT OF MOTION TO DISMISS**
18 **PETITION TO REVOKE PROBATION PURSUANT TO A.R.S. § 12-751**

19 **STATE OF ARIZONA**

20)

21) ss.

22)

County of PIMA

23 **I, LANE JEFFERY MYERS,** being first duly sworn upon oath, depose and state as follows:

- 24 1. I am the Defendant/Petitioner in the above-captioned matter, *State of Arizona v. Lane Myers*,
25 Case No. CR20251060-001, pending in the Superior Court of Arizona in and for Pima County
26 (the "Criminal Action"). I am over the age of eighteen years, I am competent to testify to the

1 matters set forth in this Affidavit, and except where otherwise indicated, I make this Affidavit
2 based upon my own personal knowledge.

3 2. I make this Affidavit in support of my Anti-SLAPP Petition to dismiss the State's Petition to
4 Revoke Probation filed in the Criminal Action, pursuant to A.R.S. § 12-751, on the ground
5 that the Petition to Revoke Probation is a "legal action" that was substantially motivated by a
6 desire to deter, retaliate against, or prevent my lawful exercise of the right of speech
7 guaranteed by the First Amendment to the United States Constitution and Article 2, Section 6
8 of the Arizona Constitution.

9 3. On or about July 1, 2025, I was sentenced in the Criminal Action of Stalking, a Class 5
10 felony. On that date, the Court placed me on supervised probation for a term of three (3)
11 years, subject to the terms and conditions of probation that I reviewed and signed on or about
12 the same date. A true and correct copy of which is attached hereto as Exhibit A.

13 4. Among the conditions of probation imposed on me is Condition No. 15, which states in
14 relevant part: "Do not Contact the victim; her family, go to their home her place of
15 employment. Do not encourage others to contact the victim or her family, go to her home or
16 place of employment. Do Not engage in activities that would be reasonably expected to
17 cause others to contact the victim or her family. Remove all videos from streaming services,
18 You Tube or social media that mention the victim or her family, including identifying
19 information about them. Allow APD access to your You Tube channel and other social
20 media to determine whether you are abiding by the condition. Do not associate or
21 communicate with, directly or indirectly, Joshua Gray or Mark Kelly. Do Not post
22 information about the victim or her husband and two minor children on You Tube or social
23 media". (the "No-Contact Condition").

24 5. I have read, understood, and complied with the No-Contact Condition at all times since it was
25 explained to me by my probation officer, Wayne Ketaily, on or about July 1, 2025.

26 6. At no time since being placed on probation in the Criminal Action have I contacted or
attempted to contact the victim, directly or indirectly, in person, by telephone, in writing,

electronically, or through any third party. Nor have I ever asked, requested, instructed, directed, suggested, or otherwise encouraged, expressly or by implication, any other person to contact the victim on my behalf or for any other purpose. I have referred to the victim in social media posts as "the victim", "the professional victim" and have posted homophobic names of persons other than the victim while discussing issues related to those other persons.

7. On or about June 21, 2026, and this date, I made approximately 10 post(s) on You Tube that referenced or discussed the Criminal Action. True and correct copies of these posts have been admitted in evidence in the criminal action and are incorporated herein by this reference to the record.

8. The posts discussed matters including state corruption, encouraging others to exercise their constitutional rights in relation to a Rule Change Petition filed by the victim's husband, motivational content related to NASA, as well as sports (related to personal struggle); my court system experiences, other content designed to either show reverence for military personnel or to acknowledge service and sacrifice. None of my posts identified the victim by name or other identifying information, disclosed any means of contacting the victim, tagged or linked to the victim's account or profile, or asked, requested, instructed, or suggested - expressly or by implication - that any reader contact the victim.

9. It was never my intent, hope, expectation, or purpose that any person would contact the victim because of my posts. I did not encourage, solicit, or facilitate, and did not intend to encourage, solicit, or facilitate, contact with the victim by any other person.

10. I am not aware of any evidence - and none has been disclosed or presented to me - that any person contacted the victim because of any post I made.

11. On or about June 14, 2026, I filed a petition to modify my conditions of probation as I had concerns regarding the constitutionality of aspects in condition 15. These included overbreadth, vagueness and due process concerns as the proscribed behavior were not clear from the conditions as written. In response, on June 24, 2026, the state accused me of violating probation. On July 10, 2026, the State filed a Petition to Revoke Probation in the

1 Criminal Action, a true and correct copy of which is attached hereto as Exhibit B. The
2 Petition alleges that I violated Condition No. 15 based solely on the content and existence of
3 the social media posts described above and in the record. No witness has provided any
4 testimony or other evidence, that I contacted the victim directly or that any third party actually
5 contacted the victim as a result of my posts.

6 12. The Petition to Revoke Probation was filed approximately 10-15 days after my posts and does
7 not allege that I violated any other term or condition of my probation. I have not otherwise
8 been alleged to have violated any condition of my probation.

9 13. Under oath and subject to cross examination, my probation officer testified that he was not
10 going to file to revoke my probation but was ordered to file the petition on behalf of the
11 probation department after his supervisors met with the victims. After the probation
12 department filed their petition, the state filed their own petition utilizing in support, a sheet of
13 paper prepared by the victim's husband. To date, the victim has not testified in any
14 proceeding, has not executed any affidavits, and has not made any avowals in court.

15 14. I make this Affidavit in support of my Motion to Dismiss the State's Petition to Revoke
16 Probation pursuant to A.R.S. § 12-751 and respectfully request that the Court consider the
17 matters set forth herein together with the exhibits attached hereto.

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19 **FURTHER THE AFFIANT SAYETH NAUGHT.**

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1 I declare under penalty of perjury under the laws of the State of Arizona that the foregoing is
2 true and correct to the best of my knowledge, information, and belief.

3 DATED this 10th day of **September**, 2026.

4 
5 **Lane Myers**, Affiant

6
7 STATE OF ARIZONA

8)
9) ss.
10)

County of **PIMA**)

11 SUBSCRIBED AND SWORN to before me this _____ day of **September**, 2026, by **LANE**
12 **JEFFERY MYERS**.

13
14 _____
Notary Public

15 My Commission Expires: _____, _____.
16

17
18 RESPECTFULLY SUBMITTED this  12th day of  ~~August~~, 2026.

19
20 **RESNICK LAW GROUP, PLLC.**

21 By: /s/ Mark R. Resnick
22 Mark R. Resnick
23 Attorney for Defendant
24

25 Electronically Filed and electronically distributed to the following parties:

26 Clerk of the Court
PIMA COUNTY SUPERIOR COURT

1 The Honorable D. Metcalf
2 PIMA COUNTY SUPERIOR COURT

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