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**IN THE FIRST JUDICIAL DISTRICT COURT  
BOX ELDER COUNTY, STATE OF UTAH**

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STATE OF UTAH,

Plaintiff,

vs.

JAMES A BRENNER  
216 E Broadway Ave #2  
Bismarck, ND 58530  
DOB: 12/02/1963

Status: In Custody

Defendant.

**INFORMATION**

Court Case #:

Judge:

**SUMMONS**

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The undersigned, as prosecuting attorney, states on information and belief that the above-named defendant, in Box Elder County, State of Utah, committed the following crime(s):

**COUNT 1**

AGGRAVATED MURDER, a(n) First Degree Felony, in violation of Utah Code Ann. § 76-5-202, as follows: That on or about May 28, 2022, the defendant did (1) intentionally or knowingly cause the death of another; and the defendant (i) the actor previously committed or was convicted of: (v) an offense committed in another jurisdiction which if committed in this state would be a violation of a crime listed in this Subsection (1)(i); or (xviii) an offense committed in another jurisdiction which if committed in this state would be a violation of a crime listed in subsection (1)(j).

## COUNT 2

ABUSE OR DESECRATION OF A HUMAN BODY, a(n) Third Degree Felony, in violation of Utah Code Ann. § 76-9-704, as follows: That on or about May 28, 2022, the defendant did intentionally and unlawfully (a) disturb, move, remove, conceal, or destroy a dead human body or any part of it.

This information is based on evidence obtained from: Detective Zachary Richard Moore.

DATED this 3rd day of March, 2023.



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BLAIR T. WARDLE  
Chief Deputy Attorney

### **Factual basis/Probable cause statement:**

The 19-year-old victim was reported as a missing person on or about May 30, 2022. Sheriff's deputies, along with search and rescue crews, immediately got to work on efforts to locate the victim, but were unsuccessful. During the search, deputies discovered a pair of boots belonging to the victim nearby. One boot had a blood stain that DNA analysis confirmed belonged to the victim in addition to DNA belonging to Defendant. The victim's phone records were also obtained which showed movements on the day of his disappearance on a remote property in Lucin where Defendant was squatting. Phone data showed that the last signal from the victim's phone was at the Lucin pond and a search of the pond led to the discovery of the victim's phone. A digital forensic download of the phone was conducted and led to the discovery of a time-lapse video with a time stamp taken at the time of the victim's disappearance. The video showed Defendant with blood stains on his arms and shirt as he is cleaning a gun. The shirt which Defendant is wearing in the video was analyzed and the victim's DNA was found on the shirt. Defendant was interviewed and made several claims that corroborated forensic evidence in addition to making numerous demonstrably false statements. Despite a thorough investigation and extensive search, the victim's body was not recovered due to Defendant removing and concealing it.