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**Polk County Prosecutor's Office Dismisses Homicide Case  
Following Evidence Review and Community Panel Deliberation**

*Polk County, Missouri* — The Polk County Prosecutor's Office announced today the dismissal of the homicide case against Corey Nielsen, following an extensive review of the finalized investigation and deliberation by a panel of local community members having heard evidence from the lead investigator from the Missouri Highway Patrol Division of Drug and Crime Control (DDCC). The decision was made based on the evidence showing that the defendant acted in defense of others under Missouri law. Our office also consulted with other county prosecutors as to the application of law and likely trial outcomes.

The incident, which took place after midnight near Morrisville on July 27, 2024, involved an encounter between Mr. Nielsen and a group of ten individuals (hereafter referred to as the "group") in a pickup truck on a nearby roadway who were throwing or launching fireworks in the direction of a tent where Mr. Nielsen's wife and four young children were located. In the weeks prior, similar incidents occurred between the group and Mr. Nielsen, with evidence that the group yelled threatening language and threw or launched relatively large mortar-style fireworks which exploded near the tent, heightening concerns about the safety of the defendant's family.

On the night in question, evidence shows that the group in the pickup pulled up in front of the tent with the headlights turned off and the vehicle either stopped or was traveling very slowly when one of the group members threw a multi-shot firework toward the tent. Mr. Nielsen was outside the tent and immediately responded by discharging his firearm at the vehicle multiple times in a matter of four to five seconds. Some in the group spoke of an intent to throw more fireworks at the location that night, but that the shooting stopped them from doing so. The firework that was thrown did cause a small grass fire which Mr. Nielsen extinguished afterward.

The driver of the vehicle was struck through the upper torso by a single round and was pronounced deceased shortly after. Three other bullet holes were found lower in the vehicle's door and bed-side. The rounds struck the vehicle at approximately a 45 degree angle, coming from back to front. Evidence would indicate that the group was throwing fireworks from the roadway closest to the tent, and Mr. Nielsen was several yards away from the tent, resulting in the steeper angle of impact. There is no evidence that Mr. Nielsen continued firing as the vehicle left the location. Law enforcement found debris from several exploded fireworks--including mortars-- on the property in a subsequent search.

Following the incident, Mr. Nielsen called 911 to report what had happened, and was cooperative with law enforcement in giving statements and consenting to searches of his property. He

immediately explained to officers that he was in fear for the safety of his family and expressed remorse for what ended up happening.

The review of the case under Missouri's self-defense laws, which allow the use of deadly force when an individual reasonably believes it is necessary to prevent imminent danger of death or serious physical injury to themselves or others, indicated that Mr. Nielsen was likely justified in his actions. The fireworks were large enough to have presented a significant risk to the lives and safety of the family, and under Missouri law, such a threat may warrant a defensive response. It does not matter what the intent of the group was; even if they did not intend to cause physical harm, Mr. Nielsen would be judged on what dangers he reasonably perceived in the situation.

Additionally, the evidence presented raised the issue that the launching of fireworks toward an occupied tent could have constituted a forcible felony, such as an attempted arson, further supporting the defendant's claim of self-defense.

The issue of whether Mr. Nielsen had a duty to retreat was also considered, as it is unclear if the Nielsen family did or did not have a right to possess the property. Even with these questions, the panel of community members were largely opposed to placing a duty to retreat upon Mr. Nielsen or his family. Even if he did have such a duty, the panel did not believe that retreat would have been reasonable or practicable given the unfolding situation.

Finally, the panel of community members were provided the same jury instructions that a trial jury would end up reviewing on this case along with a synopsis of those instructions, detailing what factors they would have to consider in coming to a decision. The vast majority of the panel were very clear that they would rule that Mr. Nielsen acted in self-defense given the evidence and instructions.

In a trial where self-defense or defense of others is at issue, if any single juror finds that the defendant reasonably acted in self-defense or defense of others, there would not be a conviction.

The Polk County Prosecutor's Office has therefore dismissed the charges against Mr. Corey Nielsen, as this office feels there to be no likelihood that a jury unanimously find Mr. Nielsen guilty of a crime.

The decedent in this case was a juvenile, and this office would politely ask that his family be given privacy to grieve their loss.

For further information, please contact the Polk County Prosecutor's Office at [pa@polkcountymo.gov](mailto:pa@polkcountymo.gov).



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