Filed: 02/28/2023 09:32:12 Second Judicial District, Latah County Julie Fry, Clerk of the Court

By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Apple Inc., 1 Infinite Loop Cupertino, CA 95014

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to 1.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D) and I.C. §74-124(1)(c), the court finds it necessary to seal the records related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person;
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals; and
- (3) Disclosure would constitute an unwarranted invasion of personal privacy.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be SEALED until further order of the court.

Dated: 2/27/2023

Megan E. Marshal Magistrate Judge

In the Matter of the Application for a Search Warrant for

Apple Inc., 1 Infinite Loop Cupertino, CA 95014

Latah County, Idaho MPD Case No. 22-M09903 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until February 27, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 29th day of November, 2022.



ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Apple Inc., 1 Infinite Loop Cupertino, CA 95014

Latah County, Idaho MPD Case No. 22-M09903 Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

- 1. Interfere with enforcement proceedings;
- 2. Constitute an unwarranted invasion of personal privacy,

- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this <u>18th</u> day of November, 2022.

ASHLEY S. JENNIN

Sr. Deputy Prosecuting Attorney

Filed: 02/28/2023 09:33:24 Second Judicial District, Latah County Julie Fry, Clerk of the Court By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Apple Inc., I Infinite Loop Cupertino, CA 95014

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D) and I.C. §74-124(1)(c), the court finds it necessary to seal the records related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person;
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals; and
- (3) Disclosure would constitute an unwarranted invasion of personal privacy.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be SEALED until further order of the court.

Dated: 2 27 2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Apple Inc., 1 Infinite Loop Cupertino, CA 95014

Latah County, Idaho MPD Case No. 22-M09903 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until February 27, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 29th day of November, 2022.



LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Apple Inc., 1 Infinite Loop Cupertino, CA 95014

Latah County, Idaho MPD Case No. 22-M09903 Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

- 1. Interfere with enforcement proceedings;
- 2. Constitute an unwarranted invasion of personal privacy,

- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this **28**th day of November, 2022.

Sr. Deputy Prosecuting Attorney

Filed: 02/28/2023 09:35:27 Second Judicial District, Latah County Julie Fry, Clerk of the Court By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

AT&T 11760 US Highway 1, Suite 300 North Palm Beach, FL33408-3029

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL

This matter came before the court on February 10, 2023 on the court's motion to seal pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and I.C. §74-124(1)(e), the court finds it necessary to seal the records related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) Production of such records would disclose investigative techniques and procedures. After due consideration and with good cause,

IT IS HEREBY ORDERED that the record herein shall be SEALED until further order of the court.

Dated: 2/27/2023

Megan E. Marshal Magistrate Judge

In the Matter of the Application for a Search Warrant for

AT&T 11760 U.S. Highway 1, Suite 300 North Palm Beach, FL 33408

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED **DOCUMENTS**

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until April 7, r further order of the Court, whichever occurs....

SO ORDERED this _____ day of January, 2023.e 9:14 am 2023, or further order of the Court, whichever occurs first.

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

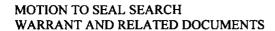
In the Matter of the Application for a Search Warrant for Case No.

AT&T 11760 U.S. Highway 1, Suite 300 North Palm Beach, FL 33408 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;



- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 10th day of January, 2023.

ASHLEY S. JENNINGS / Sr. Deputy Prosecuting Attorney

Filed: 02/28/2023 15:12:50

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Coeur d'Alene Police Department Forensic Lab 3818 Schreiber Way Coeur d'Alene Idaho 83815

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D) and I.C. 74-124(1)(c), the court finds it necessary to seal the records related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person;
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals; and
- (3) Disclosure would constitute an unwarranted invasion of personal privacy.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be SEALED until further order of the court.

Dated: 2/28/2023

Megan E. Marshall

Magistrate Judge

In the Matter of the Application for a Search Warrant for

Coeur d'Alene Police Forensic Lab 3818 Schreiber Way Coeur d'Alene, Idaho 83815

MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 1, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/1/22 0 3:34 pm

ORDER SEALING SEARCH
WARRANT AND RELATED DOCUMENTS

1

CLRK OF DIST CT. LATE CASE NO. _____

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

paservice@latah.id.us

Case No.

Coeur d'Alene Police Forensic Lab 3818 Schreiber Way Coeur d'Alene, Idaho 83815

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this ____| Stay of December, 2022.

Sr. Deputy Prosecuting Attorney

Filed: 02/28/2023 08:22:28

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Amazon Corporate Service Company 300 Deschutes Way SW, Suite 304 Tumwater, WA 98501

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, the court finds it necessary to seal in part and redact the record related to the search warrant because the documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person. I.C.A.R. 32(i)(2)(A). After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant and the Amended Affidavit in Support of Search Warrant be SEALED.
- 2. The Search Warrant, Amended Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2/27/2023

Megan E. Marshall

Magistrate Judge

In the Matter of the Application for a Search Warrant for

Amazon Corporate Service Company 300 Deschutes Way SW, Suite 304 Tumwater, WA 98501

MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH

WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein. the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 14, 2023, or further order of the Court, whichever occurs first.

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SO ORDERED this 15th day of December, 2022. @ 12:04 pm

Magistrate Judge

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Case No.

Amazon Corporate Service Company 300 Deschutes Way SW, Suite 304 Tumwater, WA 98501

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- Disclose investigative techniques and procedures. 4.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 4th day of December, 2022.

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

)	
In the Matter of the A	application	Ś	Case No. CR29-
For a Search Warrant	for:)	
)	
Amazon		.)	RETURN OF
Corporate Service Co	mpany)	SEARCH WARRANT
300 Deschutes Way S	SW, Suite 304)	
Turnwater, WA 9850	1)	
)	
MPD Case No. 22-M	09903)	
STATE OF IDAHO)		
	:SS.		
County of Latah)		

I, Detective Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 9:00 o'clock a.m., this 14th day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/14/2022 (Date)

Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF II	DAHO)					
County of Lat	tah	:ss.)					
I, Law	rence M	lowery, bei	ng duly sworn	, do hereby	y state the follo	wing information is tru	ie and
correct to the	best of n	ny knowled	lge and belief:	:			
(1)	That I	am employ	ed by Moscow	v Police De	partment in the	official position of For	rensic
	Detect	ive;					
(2)	Affida	vit has been	n a trained and	l qualified	peace office for	r Twelve (12) years;	
(3)	On No	vember 26	, 2022, I obtai	ned a searc	ch warrant for A	Amazon;	
(4)	The wa	arrant was	served on Nov	ember 26,	2022, by email	l (fax, email, etc);	
(5)	On 12	/08/22, I r	eceived an e-	mail from	Amazon whi	ch contained the requ	ıested
	inform	ation;					
(6)	An inv	entory was	prepared for	all the item	ns received; and	I	
(7)	The in	formation r	eceived was pl	laced into e	evidence at the	Moscow Police Depart	ment.
FURT	HER yo	our Affiant	sayeth not.				
					Lawrence Affiant	Mowery	
I certi	fy (or de	eclare) und	er penalty of	perjury pu	rsuant to the la	w the State of Idaho t	hat
the foregoing	is true a	and correct					
12/14/					75m	122	
(Date) (Signature)							

1

IN THE MATTER OF THE APPLICATION FOR A SEARCH WARRANT FOR	Case No.
Amazon 300 Deschutes Way SW, Suite 304 Tumwater, WA 98501	RECEIPT AND INVENTORY OF WARRANT
On the 26 day of November	, 20 <u>22</u> , at approximately <u>3:32</u> o'clock <u>P</u> .M.,
the following peace officers: Detective Law	rence Mowery
The person(s) found in said place were:	
	ation within or upon said place and/or person(s) are
as follows:	I OCATIONIMEDGONI
DESCRIPTION OF PROPERTY	LOCATION/PERSON
ASIN number B001H53Q6M	
Ka-Bar Full Size US Marine Corps Fighting Knife	-
ASIN number B000MAZIA0	
Ka-Bar 1217S	_

PAGE 1 OF 3 PAGES

RECEIPT AND INVENTORY

DESCRIPTION OF PROPERTY	LOCATION/PERSON
Leather Sheath USMC Logo	X
	
	

This Receipt and Inventory was r	made in the presence of:	
A copy hereof was given to the fo	ollowing named person(s) on the	day of
	_, 20;	
A come homosfering loft on this dat	to in a comprise your place in the place comple	d than bains no
	te in a conspicuous place in the place searche	u, there being no
person(s) present during said search:	:	
DATED this 14 day of _	<u>December</u> , 20 <u>22</u> .	
	<i>p</i> .	
	December , 20 22 . PEACE OFFICER	-
WITNESS	PÉACE OFFICER	
- A		
The undersigned person(s) hereb	by acknowledge receiving a copy hereof on the	
		•
	, 20	
		
		

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Amazon)	ORDER
Corporate Service Company)	
300 Deschutes Way SW, Suite 304)	
Tumwater, WA 98501	Ś	
	j j	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

ORDER 1

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any

person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or

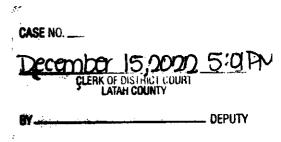
identification of said property which is deemed necessary by the custodial law enforcement agency

or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/15/22 P 12:04 PM.

Megan E. Marshall

Magistrate Judge



In the Matter of the Application for a Search Warrant for:

Amazon Corporate Service Company 300 Deschutes Way SW, Suite 304 Tumwater, WA 98501

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises consists of information for the crime(s) of homicide in the possession or control of Amazon related to the sales of the following items for the period of January 1, 20222 to present:

- 1. Ka-Bar KA1217S, USMC Fighting Knife Sheath;
- 2. Ka-Bar Full Size USMC Straight Edge Knife;

The records shall include but are not limited to:

- Account information for the above-named individuals/entities on Amazon.com or affiliated websites including but not limited to: contact information, billing information, account opening date, account closing date, and any other information retained in connection with the identified accounts;
- Order details and purchase history for all transactions conducted by the above-named individuals/entities on Amazon.com or any Amazon.com affiliated storefront/webstore, including IP address information for purchases made;
- Payment information for payments made (or facilitated by) Amazon.com to or from the above-named individuals/entities including payments through the Amazon Payments/Amazon Pay platform;
- All customer interaction records between Amazon.com and the above-named individuals/entities and their representatives to include call notes, call recordings, emails and/or written correspondence;

located in or upon the following described premises,

Amazon Corporate Service Company 300 Deschutes Way SW, Suite 304 Tumwater, WA 98501

Electronic Records

Electronically stored records shall be produced in electronic form and shall include those records held (1) in your record retention systems; and/or (2) by your technology, data, or other service provider(s).

Text Data

Text data relating to transactions (e.g., core data, history file) shall be produced within a data file: (1) using delimited ASCII text data format; or (2) within software that can export without loss of data to a non-proprietary file format; or (3) using commonly readable file format set by agreement.

Text data files relating to transactions produced according to the above shall include field descriptions (e.g., account number, date/time, description, payee/payor, check number, item identifier, and amount).

In the Matter of the Application for a Search Warrant for:

Amazon Corporate Service Company 300 Deschutes Way SW, Suite 304 Tumwater, WA 98501

MPD Case No. 22-M09903

Case No.

AMENDED SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises consists of information for the crime(s) of homicide in the possession or control of Amazon related to the sales of the following items for the period of January 1, 20222 to present:

- 1. ASIN number B001H53Q6M, Ka-Bar Full Size US Marine Corps Fighting Knife
- 2. ASIN number B000MAZIA0, Ka-Bar 1217S, Leather Sheath, USMC Logo

The records shall include but are not limited to:

- Account information for the above-named individuals/entities on Amazon.com or affiliated websites including but not limited to: contact information, billing information, account opening date, account closing date, and any other information retained in connection with the identified accounts;
- Order details and purchase history for all transactions conducted by the above-named individuals/entities on Amazon.com or any Amazon.com affiliated storefront/webstore, including IP address information for purchases made;
- Payment information for payments made (or facilitated by) Amazon.com to or from the above-named individuals/entities including payments through the Amazon Payments/Amazon Pay platform;
- All customer interaction records between Amazon.com and the above-named individuals/entities and their representatives to include call notes, call recordings, emails and/or written correspondence;

located in or upon the following described premises,

Amazon Corporate Service Company 300 Deschutes Way SW, Suite 304 Tumwater, WA 98501

INSTRUCTIONS FOR PRODUCTION OF ELECTRONICALLY (DIGITALLY) STORED RECORDS

Electronic Records

Electronically stored records shall be produced in electronic form and shall include those records held (1) in your record retention systems; and/or (2) by your technology, data, or other service provider(s).

Text Data

Text data relating to transactions (e.g., core data, history file) shall be produced within a data file: (1) using delimited ASCII text data format; or (2) within software that can export without loss of data to a non-proprietary file format; or (3) using commonly readable file format

set by agreement.

Text data files relating to transactions produced according to the above shall include field descriptions (e.g., account number, date/time, description, payee/payor, check number, item identifier, and amount).

Image Data

Image data shall be produced in graphic data files in a non-proprietary or commonly readable format with the highest image quality maintained. Image data of items associated with specific transactions (e.g., checks, deposits) shall be: (1) Produced in individual graphic data files with any associated endorsements; and (2) linked to corresponding text data by a unique identifier.

Encryption/Authentication

Electronically stored records may be transmitted in an encrypted container. Decryption keys shall be produced separately at the time the data are produced. Authentication, such as hash coding, may be set by agreement.

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and bring it promptly before the Court above-named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time), and UNDER THE FOLLOWING SPECIAL DIRECTIONS:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, AMAZON IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

AMAZON SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN 1:30	UNDER	MY E	IAND and Pm.	DATED	this	26th	da	y of N	ovember,	2022, at
			<u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>			M	man	Made	all	
						Magistrat	e Judge	777	I	

In the Matter of the Application for a Search Warrant for

Amazon Corporate Service Company 300 Deschutes Way SW, Suite 304 Tumwater, WA 98501

MPD Case No. 22-M09903

Case No.

ORDER FOR EXTENSION TO RETURN SEARCH WARRANT

The above matter having come before the Court based upon the motion of the State, and good cause appearing:

IT IS HEREBY ORDERED that the time for which the above referenced search warrant shall be returned is extended to March 8, 2023.

SO ORDERED this 12/9/22

Magistrate Judge

CERTIFICATE OF DELIVERY

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Case No.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

Amazon Corporate Service Company 300 Deschutes Way SW, Suite 304 Turnwater, WA 98501

MPD Case No. 22-M09903

The State of Idaho by and through Ashley S. Jennings, Latah County Sr. Deputy Prosecuting Attorney, moves this Court for an order extending the time for returning the above referenced amended search warrant which was issued on November 26, 2022. The search warrant was directed by the Court to be served within fourteen (14) days of issuance during business hours. The warrant was served by Detective Lawrence Mowery on November 26, 2022, by email. However, as of this date, the information has not been received.

Although the warrant was executed within the fourteen (14) day timeframe directed by I.C. 19-4412, the State is not able to comply with the timeframe within which to return the warrant and provide a written inventory. Accordingly, the State requests an extension of time for the return of the search warrant.

RESPECTFULLY SUBMITTED this 3th day of December, 2022.

ASHLEY S. JEMNI

Sr. Deputy Prosecuting Attorney

Filed: 02/28/2023 08:24:40 Second Judicial District, Latah County Julie Fry, Clerk of the Court By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

American Express 43 Butterfield Circle El Paso TX 79906

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2 27 2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

American Express 43 Butterfield Circle El Paso TX 79906 Email: Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until the completion of case CR29-22-2805, or further order of the Court, whichever occurs first.

SO ORDERED this 25th day of January, 2023.

Magistrate Judge

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

I

REDACTED

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

American Express 43 Butterfield Circle El Paso TX 79906 Email: MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1

1. Interfere with enforcement proceedings;

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

REDACTED

- 2. Deprive a person of a right to a fair trial or an impartial adjudication;
- 3. Constitute an unwarranted invasion of personal privacy,
- 4. Disclose the identity of a confidential source; and/or
- 5. Disclose investigative techniques and procedures.

And the State seeks this protection throughout the entirety of case CR29-22-2805.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this At day of January, 2023.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 8491

paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the A	Application)	Case No. CR29-	
for a Search Warrant	for:)		
American Express))	RETURN OF SEARCH WARRANT	H WARRANT
43 Butterfield Circle)		
El Paso, TX 79906)		
)		
MPD Case No. 22-M	109903)		
STATE OF IDAHO)			
	:ss.			
County of Latah)			
	;ss.)			

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 11 o'clock a.m., this 24th day of January, 2023.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

<u>1/24/2023</u> (Date)

REDACTED

AFFIDAVIT OF DET. LAWRENCE MOWERY

STATE OF ID	,
County of Late	iss. h)
I, Lawı	ence Mowery, being duly sworn, do hereby state the following information is true and
correct to the b	est of my knowledge and belief:
(1)	That I am employed by the Moscow Police Department in the official position of
	Detective;
(2)	Affidavit has been a trained and qualified peace office for 12 years;
(3)	I currently work the day shift, 7:00 a.m. to 5:00 p.m.;
(4)	On November 28, 2022, I obtained a search warrant for American Express;
(5)	The warrant was served on November 28, 2022, via email to ;
(6)	On January 13, 2023, I received an email from FA Michael Douglass containing the requested data;
(7)	On January 24, 2023, an inventory was prepared for all the items received;
(8)	A copy of the inventory receipt was emailed to ; and
(9)	The information received was placed into evidence at Moscow Police Department.
FURT	HER your Affiant sayeth not.

<u>Detective Lawrence Mowery - 162</u> Affiant

I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

<u>January 24, 2023</u> (Date)

(Signature)

IN THE MATTER OF	Case No
THE APPLICATION FOR A SEARCH WARRANT FOR	
American Express	RECEIPT AND
Bank Records	INVENTORY OF WARRANT
MPD# 22-M09903	
On the 28 day of November	20.22 ot oppositionately, 1155 (2-1-al., a M.
	, 20 <u>22</u> , at approximately <u>1155</u> o'clock <u>a</u> .M.
the following peace officers: Det Lawrence	e Mowery and FBI FA Michael Douglass
served the Search Warrant heretofore issue	d upon the place and/or person(s) described therein as
directed in said Search Warrant. Entrance	was obtained by:
The person(s) found in said place were:	
The property found and taken and the lo	cation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Ethan Chapin,	
Madison May Mogen,	
Xana Alexia Kernodle,	
Kaylee Jade GonCalves,	

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
6	
	·
·	

This Receipt and Inventory was mad	le in the presence of:
A copy hereof was given to the follo	owing named person(s) on the day of 20;
A copy hereof was left on this date in person(s) present during said search: e	n a conspicuous place in the place searched, there being no
DATED this day of	January , 20 <u>23</u> .
	Det Lawrence Mowery
WITNESS	PEACE OFFICER
The undersigned person(s) hereby a	cknowledge receiving a copy hereof on this day of
	; 20:

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
American Express)	
43 Butterfield Circle	j j	ORDER
El Paso, TX 79906	j	
Email:	j j	
) .	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

REDACTED

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 1/25/2023 () 2:110 pm

Megan E. Marshall Magistrate Judge

ORDER 2

In the Matter of the Application for a Search Warrant for:

American Express 43 Butterfield Circle El Paso TX 79906 Email:

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime(s) of homicide to include all records and documents (the terms "records" and "documents" mean any and all tangible forms of expression in your possession, custody, or control, in any language or format, and include, but are not limited to, writings, papers, and tape recordings, electronic video

and audio recordings (e.g. video surveillance), microform, electromagnetic recordings, optical recordings, electronic files or records, photographs, drafts, finished versions, originals, and copies, however created, produced, or stored. Video surveillance/images pertaining to account transactions (to include account opening, deposit, withdrawals, etc.) are included with this request. Supporting information can be provided to help identify surveillance video/images for some of the transactions) from September 1, 2022 to present in the name or control of:

- Ethan Chapin,
- Madison May Mogen,
- Xana Alexia Kernodle,
- Kaylee Jade GonCalves,
- •
- •
- •
- .

to include the following:

- All Open and Closed accounts: all records pertaining to the individuals(s) or business entities identified in this letter whether held jointly or severally or as trustee or fiduciary as well as custodian, executor or guardian, as well as any other entity in which these individual(s) or entities may have a financial interest; includes all accounts in which these individuals had signatory authority and/or the right of withdrawal; these records should include:
 - Signature cards;
 - Statement Data/Monthly Account Statements;
 - Identification of and name assigned on all Debit Cards on account;
 - Deposits and supporting documentation including but not limited to evidence of cash, cancelled deposited checks front and back, transfers from other accounts including full account number and name, and other credit information.
 - Checks and other withdrawals including but not limited to cancelled checks front and back, withdrawals and offsets, evidence of cash withdrawals, transfers from other accounts including account number and name, other debit information;
 - Wire transfers in and out including wire transfer instructions and evidence of requestor if possible;
 - Evidence of cash transactions and identifying information of individuals conducting cash transactions;

- Identification of sender or recipient bank, full account number, and account name on ACH transfers, online transfers, teller transfers, or other transfers;
- Electronic/Internet records: for those customers who engage in online banking with your financial institution, the following information pertaining to that online banking account: usernames or other identifying information for the account; e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter; historical access logs for authentication to the account including Internet Protocol (IP) addresses for this account and date, time and duration of each session;
- Certificate of Deposit and Money Market Certificates: including applications, actual
 instrument(s), records of purchases and redemptions, checks issued on redemption,
 checks used to purchase certificates, any correspondence and any Forms 1099 issued,
 records revealing the annual interest paid or accumulated, the dates of payment or date
 interest is earned, and checks issued for interest payments;
- Credit Card records (e.g. MasterCard and Visa): including customer's application, signature card, credit or background investigations conducted, correspondence, monthly billing statements, individual charge invoices, repayment records, disclosing the date, amounts and method of repayment, checks used to make repayments (front and back);
- Purchase of Bank Checks: purchases of bank checks, cashiers, teller, traveler's check
 records, or money order records, including the check register, file copies of the check or
 money orders, records revealing the date and source of payment for said checks or money
 orders;
- Correspondence: all records of correspondence/communication between the customer and the financial institution relating to the above services or for any other purpose, including customer service inquiries or requests for assistance;
- Safe Deposit Boxes: any and all information pertaining to safe deposit boxes held by customer including safe deposit application, authorized signers, and access logs;
- Other records: all applications, forms, and other written documents completed by the customer; records of certified checks, wire transfers, or collections, letter credit, bonds and securities purchased through your financial institution, savings bond transaction and investment accounts. Such records that disclose the date and amount of the transaction, method (cash or check) and source of payment, instruments and statements of transactions; all correspondence with the above individual(s)/entities and/or with third parties regarding the above individual(s)/entities; all memoranda, notes, files, or records relating to meetings or conversations concerning the above individual(s)/entities;

Committee to the second section of the second sections

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located at the following premises:

American Express Attn: Subpoena Response Unit 43 Butterfield Circle El Paso TX 79906

\overline{M}	Megan (Marshall agistrate Judge
GIVEN UNDER MY HAND and DATED this 27t 2:39 p .m.	day of November, 2022, at
AMERICAN EXPRESS SHALL DISCLOSE T INFORMATION WITHIN 14 DAYS OF ISSUANCE.*	
**THIS SEARCH WARRANT IS ISSUED FOR AMERICAN EXPRESS IS ORDERED NOT TO DISC OF THIS SEARCH WARRANT OR THE INFORM THE SEARCH WARRANT FOR A PERIOD OF ONE OF THE COURT.	LOSE THE EXISTENCE OR CONTENTS ATION FURNISHED IN RESPONSE TO
YOU ARE THEREFORE COMMANDED TO SEAF property described above, TO SEIZE it if found and bring THIS WARRANT SHALL BE EXECUTED WITHIN AUTHORIZED FOR DAYTIME SERVICE ONLY (pureans the hours between 6:00 a.m. and 10:00 p.m. local	g it promptly before the Court above-named. 7 DAYS OF ISSUANCE, AND IS rsuant to Idaho Criminal Rule 41, "daytime"
Ph: Email:	·

In the Matter of the Application for a Search Warrant for Case No.

ORDER FOR EXTENSION TO RETURN SEARCH WARRANT

American Express 43 Butterfield Circle El Paso TX 79906 Email:

MPD Case No. 22-M09903

The above matter having come before the Court based upon the motion of the State, and good cause appearing:

IT IS HEREBY ORDERED that the time for which the above referenced search warrant shall be returned is extended to March 8, 2023.

SO ORDERED this \2\9\22

Magistrate Vidge

CERTIFICATE OF DELIVERY

	rue and correct copies of the ORDER FOR WARRANT were served on the following in the
William W. Thompson, Jr. Latah County Prosecuting Attorney Latah County Courthouse Moscow, ID 83843	☐ Mailed ☐ E-filed & Served / E-mailed ☐ Faxed ☐ Hand Delivered
Dated 12 9 22	
	TONYA DODGE Latah County Clerk of the Court By: Deputy Clerk

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Case No.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

American Express 43 Butterfield Circle El Paso TX 79906 Email:

MPD Case No. 22-M09903

The State of Idaho by and through Ashley S. Jennings, Latah County Sr. Deputy Prosecuting Attorney, moves this Court for an order extending the time for returning the above referenced search warrant which was issued on November 27, 2022 The search warrant was directed by the Court to be served within fourteen (14) days of issuance during business hours. The warrant was served by Detective Lawrence Mowery on November 28, 2022, by email. However, as of this date, the information has not been received.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT



Although the warrant was executed within the fourteen (14) day timeframe directed by I.C. 19-4412, the State is not able to comply with the timeframe within which to return the warrant and provide a written inventory. Accordingly, the State requests an extension of time for the return of the search warrant.

RESPECTFULLY SUBMITTED this May of December, 2022.

SHLEY S. JENNING

Sr. Deputy Prosecuting Attorney

Filed: 02/28/2023 08:43:56 Second Judicial District, Latah County Julie Fry, Clerk of the Court By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Apple Inc., 1 Infinite Loop Cupertino, CA 95014

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2/27/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Apple Inc., 1 Infinite Loop Cupertino, CA 95014 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until February 28, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this Lit day of November, 2022. C 1-22 pm

MEGISTRATE DUGGE

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Apple Inc., 1 Infinite Loop Cupertino, CA 95014 Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

- 1. Interfere with enforcement proceedings;
- 2. Constitute an unwarranted invasion of personal privacy,

- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this _______day of November, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
Apple Inc.,)	ORDER
1 Infinite Loop)	
Cupertino, CA 95014)	
)	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/1/22 P 1:24 PM

Megan E. Marshall Magistrate Judge

ORDER 2

CLRK OF DIST CT. LATAH

LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application) Case No. CR29-
for a Search Warrant for:)
Apple Inc.,) RETURN OF SEARCH WARRANT
1 Infinite Loop)
Cupertino, CA 95014)
)
MPD Case No. 22-M09903	_)
STATE OF IDAHO)	
:ss.	
County of Latah)	

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 9:00 o'clock a.m., this 30th day of November, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

 $\frac{11/3a/22}{\text{(Date)}}$

Peace Officer

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF II	DAHO)		
	:ss.		
County of Lat	ah)		
I, Law	rence Mowery, being duly sworn, do hereby state the following information is true and		
correct to the l	best of my knowledge and belief:		
(1)	That I am employed by Moscow Police Department in the official position of Forensic		
	Detective;		
(2)	Affidavit has been a trained and qualified peace office for Twelve (12) years;		
(3)	On November 21, 2022, I obtained a search warrant for Apple;		
(4)	The warrant was served on November 21, 2022, by email (fax, email, etc);		
(5) On 11/23/22, I received an e-mail from Apple which contained the requested			
	information;		
(6)	An inventory was prepared for all the items received; and		
(7)	The information received was placed into evidence at the Moscow Police Department.		
FURT	HER your Affiant sayeth not.		
	Lawrence Mowery		
Yaantii	Affiant		
	fy (or declare) under penalty of perjury pursuant to the law the State of Idaho that		
- •	is true and correct.		
•	1/30/12 /En 162		
$\frac{L}{(\text{Date})}$	1/30/22 (Signature)		

IN THE MATTER OF THE APPLICATION FOR A SEARCH WARRANT FOR	Case No.
Apple Inc., 1Infinite Loop	RECEIPT AND INVENTORY OF WARRANT
Cupertino, CA 95014	
	, 20 <u>22</u> , at approximately <u>1:55</u> o'clock <u>p</u> .M.,
	, 101100 1110 WOLL
The person(s) found in said place were:	vas obtained by:
The property found and taken and the locas follows:	cation within or upon said place and/or person(s) are
DESCRIPTION OF PROPERTY	LOCATION/PERSON
-1224	
<u>IMEI</u>	

RECEIPT AND INVENTORY

PAGE 1 OF 2 PAGES

This Receipt and Inventory was made	e in the presence of:		,,,
			,
A copy hereof was given to the follow	wing named person(s)	on the	day of
,2		γ	
	-		
A copy hereof was left on this date in person(s) present during said search:		_	here being no
person(s) present during said search.			
DATED this day of	November		
WITNESS			
The undersigned person(s) hereby ac		a copy hereof on this	day of
	<u> </u>		

)

Case No. CR29-

for a Search Warrant for:	
Apple Inc., 1 Infinite Loop) SEARCH WARRANT
Cupertino, CA 95014	į
MPD Case No. 22-M09903	
TO: ANY PEACE OFFICER ENFORCING ANY LAW OF	AUTHORIZED TO ENFORCE OR ASSIST IN FITHE STATE OF IDAHO.
Lawrence Mowery, having given	ven me proof, upon oath, this day showing probable
cause establishing grounds for issuing	g a search warrant and probable cause to believe property
consisting of there is probable cause t	o believe that the property referred to and sought in or

IDENTIFIERS: , phone number -1224, and/or IMEI (hereafter referred to as "the MOGEN ACCOUNT"), from August 1,

upon said premises consists of there is probable cause to believe that the property referred to

and sought in or upon said premises consists records related to the crime(s) of homicide on

the Apple iCloud account(s) associated with Madison "Maddie" Mogen with the following

2022, to November 18, 2022, including:

In the Matter of the Application

 All records or other information regarding the identification of the account, to include full name, physical address, telephone numbers, email addresses (including primary, alternate, rescue, and notification email addresses, and verification information for each email address), the date on which the account was created, the length of service,

SEARCH WARRANT

REDACTED

- the IP address used to register the account, account status, methods of connecting, and means and source of payment (including any credit or bank account numbers);
- All records or other information regarding the devices associated with, or used in connection with, the account (including all current and past trusted or authorized iOS devices and computers, and any devices used to access Apple services), including serial numbers, Unique Device Identifiers ("UDID"), Advertising Identifiers ("IDFA"), Global Unique Identifiers ("GUID"), Media Access Control ("MAC") addresses, Integrated Circuit Card ID numbers ("ICCID"), Electronic Serial Numbers ("ESN"), Mobile Electronic Identity Numbers ("MEIN"), Mobile Equipment Identifiers ("MEID"), Mobile Identification Numbers ("MIN"), Subscriber Identity Modules ("SIM"), Mobile Subscriber Integrated Services Digital Network Numbers ("MSISDN"), International Mobile Subscriber Identities ("IMSI"), and International Mobile Station Equipment Identities ("IMEI");
- The contents of all emails associated with the account, including stored or preserved
 copies of emails sent to and from the account (including all draft emails and deleted
 emails), the source and destination addresses associated with each email, the date and
 time at which each email was sent, the size and length of each email, and the true and
 accurate header information including the actual IP addresses of the sender and the
 recipient of the emails, and all attachments;
- The contents of all instant messages associated with the account, including stored or preserved copies of instant messages (including iMessages, SMS messages, and MMS messages) sent to and from the account (including all draft and deleted messages), the source and destination account or phone number associated with each instant message, the date and time at which each instant message was sent, the size and length of each instant message, the actual IP addresses of the sender and the recipient of each instant message, and the media, if any, attached to each instant message;
- The contents of all files and other records stored on iCloud, including all iOS device backups, all Apple and third-party app data, all files and other records related to iCloud Mail, iCloud Photo Sharing, My Photo Stream, iCloud Photo Library, iCloud Drive, iWorks (including Pages, Numbers, and Keynote), iCloud Tabs, and iCloud Keychain, and all address books, contact and buddy lists, notes, reminders, calendar entries, images, videos, voicemails, device settings, and bookmarks;
- All activity, connection, and transactional logs for the account (with associated IP addresses including source port numbers), including FaceTime call invitation logs, mail logs, iCloud logs, iTunes Store and App Store logs (including purchases, downloads, and updates of Apple and third-party apps), messaging and query logs (including iMessage, SMS, and MMS messages), My Apple ID and iForgot logs, sign-on logs for all Apple services, Game Center logs, Find my iPhone logs, logs associated with iOS device activation and upgrades, and logs associated with webbased access of Apple services (including all associated identifiers);

- All records and information regarding locations where the account was accessed, including all data stored in connection with Location Services;
- All records pertaining to the types of service used;
- All records pertaining to communications between Apple and any person regarding the account, including contacts with support services and records of actions taken;

located in or upon the following premises owned, maintained, controlled, or operated by

Apple Inc., a company headquartered at Apple Inc., 1 Infinite Loop, Cupertino, CA 95014.

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and to bring it promptly before the Court above named. THIS WARRANT SHALL BE EXECUTED WITHIN __7__ DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time), AND UNDER THE FOLLOWING SPECIAL DIRECTIONS:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, APPLE IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

APPLE SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY	HAND	and	DATED	this	21st		day	of N	ovember,	, 2022,	a
10:58			a	m.									
							Meg	an	. 7	Marsh	all		
					M	agistrate	Judg	ge			_		

Filed: 02/28/2023 08:45:28 Second Judicial District, Latah County Julie Fry, Clerk of the Court By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Apple Inc., 1 Infinite Loop Cupertino, CA 95014

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2/21/2023

Megan E. Marshal Magistrate Judge

In the Matter of the Application for a Search Warrant for

Apple Inc., 1 Infinite Loop Cupertino, CA 95014

Latah County, Idaho MPD Case No. 22-M09903 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until February 27, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 29th day of November, 2022.



LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Apple Inc., 1 Infinite Loop Cupertino, CA 95014

Latah County, Idaho MPD Case No. 22-M09903 Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

- 1. Interfere with enforcement proceedings;
- 2. Constitute an unwarranted invasion of personal privacy,

- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this <u>28th</u> day of November, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	•
Apple Inc.,)	ORDER
1 Infinite Loop	j	
Cupertino, CA 95014	<u> </u>	
)	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED	11/29/22	

Megan E. Marshall Magistrate Judge

ORDER 2

LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the A	application)	Case No. CR29-		
for a Search Warrant	for:)			
Apple Inc.,)	RETURN OF SEARC	H WARRANT	
1 Infinite Loop)			
Cupertino, CA 95014)			
MPD Case No. 22-M	09903)			
STATE OF IDAHO)				
	:ss.				
County of Latah)				

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 220 o'clock p.m., this 28th day of November, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF II	OAHO)			•	
County of Lat	ah	:ss.)				
I, Law	rence M	lowery, bein	ig duly swor	n, do hereby	state the following in	formation is true and
correct to the	best of n	ny knowled	ge and belief	F		
(1)	That I	am employe	ed by Moscov	w Police Dep	artment in the official	l position of Forensic
	Detect	ive;				
(2)	Affida	vit has been	a trained an	d qualified p	eace office for Twelv	/e (12) years;
(3)	On No	vember 21,	2022, I obta	ined a search	warrant for Apple;	
(4)	The warrant was served on November 21, 2022, by email (fax, email, etc);					
(5)	(5) On 11/23/22, I received an e-mail from Apple which contained the requested					ained the requested
	inform	nation;				
(6)	An inv	entory was	prepared for	all the items	received; and	
(7)	The in	formation re	eceived was p	placed into ev	vidence at the Moscov	w Police Department.
FURT	HER yo	our Affiant s	sayeth not.			
					Lawrence Mower	y
I certi	fy (or d	eclare) unde	er penalty of	perjury pure	Affiant suant to the law the S	State of Idaho that
the foregoing	is true	and correct.				
1	120/				Jon.	/6 2
(Date	<u> </u>	<u> </u>			(Signature)	<u>, - </u>

IN THE MATTER OF THE APPLICATION FOR A SEARCH WARRANT FOR	Case No.
Apple Inc.,	RECEIPT AND
1 Infinite Loop	INVENTORY OF WARRANT
Cupertino, CA 95014	
On the 21st day of November	, 2022, at approximately 6:41 o'clock P.M.,
the following peace officers:	
The person(s) found in said place were: _	
The property found and taken and the loca as follows:	ation within or upon said place and/or person(s) are
DESCRIPTION OF PROPERTY	LOCATION/PERSON
·	
- 1278	
IMEL	

RECEIPT AND INVENTORY

PAGE / OF 2 PAGES

This Receipt and Inventor	ry was made in the presence of:	
A copy hereof was given	to the following named person(s) on the	day of
		•
- '	this date in a conspicuous place in the place sea	
	lay of Noving = R, 2027	
X	Jen 1	6 L
WITNESS	PEACE OFFICER	<u> </u>
	s) hereby acknowledge receiving a copy hereof	on this day of
	; 20:	

In the Matter of the Application) Case No. CR29-
for a Search Warrant for:	j
)
Apple Inc.,) SEARCH WARRANT
1 Infinite Loop)
Cupertino, CA 95014)
)
MPD Case No. 22-M09903)
TO: ANY PEACE OFFICER A ENFORCING ANY LAW OF	AUTHORIZED TO ENFORCE OR ASSIST IN THE STATE OF IDAHO.
Lawrence Mowery, having give	en me proof, upon oath, this day showing probable
cause establishing grounds for issuing	a search warrant and probable cause to believe property
consisting of there is probable cause to	believe that the property referred to and sought in or

upon said premises consists of there is probable cause to believe that the property referred to and sought in or upon said premises consists records related to the crime(s) of homicide on the Apple iCloud account(s) associated with Xana Kernodle with the following

IDENTIFIERS:

, phone number

-1278, and/or IMEI

, (hereafter referred to as "the KERNODLE ACCOUNT"), from August $\left(\frac{1}{2} \right)$

1, 2022, to November 19, 2022, including:

 All records or other information regarding the identification of the account, to include full name, physical address, telephone numbers, email addresses (including primary, alternate, rescue, and notification email addresses, and verification information for each email address), the date on which the account was created, the length of service,

SEARCH WARRANT

REDACTED

- the IP address used to register the account, account status, methods of connecting, and means and source of payment (including any credit or bank account numbers);
- All records or other information regarding the devices associated with, or used in connection with, the account (including all current and past trusted or authorized iOS devices and computers, and any devices used to access Apple services), including serial numbers, Unique Device Identifiers ("UDID"), Advertising Identifiers ("IDFA"), Global Unique Identifiers ("GUID"), Media Access Control ("MAC") addresses, Integrated Circuit Card ID numbers ("ICCID"), Electronic Serial Numbers ("ESN"), Mobile Electronic Identity Numbers ("MEIN"), Mobile Equipment Identifiers ("MEID"), Mobile Identification Numbers ("MIN"), Subscriber Identity Modules ("SIM"), Mobile Subscriber Integrated Services Digital Network Numbers ("MSISDN"), International Mobile Subscriber Identities ("IMSI"), and International Mobile Station Equipment Identities ("IMEI");
- The contents of all emails associated with the account, including stored or preserved copies of emails sent to and from the account (including all draft emails and deleted emails), the source and destination addresses associated with each email, the date and time at which each email was sent, the size and length of each email, and the true and accurate header information including the actual IP addresses of the sender and the recipient of the emails, and all attachments;
- The contents of all instant messages associated with the account, including stored or preserved copies of instant messages (including iMessages, SMS messages, and MMS messages) sent to and from the account (including all draft and deleted messages), the source and destination account or phone number associated with each instant message, the date and time at which each instant message was sent, the size and length of each instant message, the actual IP addresses of the sender and the recipient of each instant message, and the media, if any, attached to each instant message;
- The contents of all files and other records stored on iCloud, including all iOS device backups, all Apple and third-party app data, all files and other records related to iCloud Mail, iCloud Photo Sharing, My Photo Stream, iCloud Photo Library, iCloud Drive, iWorks (including Pages, Numbers, and Keynote), iCloud Tabs, and iCloud Keychain, and all address books, contact and buddy lists, notes, reminders, calendar entries, images, videos, voicemails, device settings, and bookmarks;
- All activity, connection, and transactional logs for the account (with associated IP addresses including source port numbers), including FaceTime call invitation logs, mail logs, iCloud logs, iTunes Store and App Store logs (including purchases, downloads, and updates of Apple and third-party apps), messaging and query logs (including iMessage, SMS, and MMS messages), My Apple ID and iForgot logs, sign-on logs for all Apple services, Game Center logs, Find my iPhone logs, logs associated with iOS device activation and upgrades, and logs associated with webbased access of Apple services (including all associated identifiers);

- All records and information regarding locations where the account was accessed, including all data stored in connection with Location Services;
- All records pertaining to the types of service used;
- All records pertaining to communications between Apple and any person regarding the account, including contacts with support services and records of actions taken;

located in or upon the following premises owned, maintained, controlled, or operated by

Apple Inc., a company headquartered at Apple Inc., 1 Infinite Loop, Cupertino, CA 95014.

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and to bring it promptly before the Court above named. THIS WARRANT SHALL BE EXECUTED WITHIN __7__ DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time), AND UNDER THE FOLLOWING SPECIAL DIRECTIONS:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, APPLE IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

APPLE SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY 1	HAND	and	DATED	this	21st	day	of N	Novembe	r, 202	22, at
4:18	·		<u>p</u>	m.								
			Meg				Mega	ran Marshall				
							Magistrate	Judg	ge	•		

Filed: 02/28/2023 08:40:48
Second Judicial District, Latah County
Julie Fry, Clerk of the Court
By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Apple Inc., 1 Infinite Loop Cupertino, CA 95014

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2/27/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Apple Inc., 1 Infinite Loop Cupertino, CA 95014 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until February 28, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 1st day of November, 2022. C 1:30 pt

Mean Emabhall

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Apple Inc., 1 Infinite Loop Cupertino, CA 95014 Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

- 1. Interfere with enforcement proceedings;
- 2. Constitute an unwarranted invasion of personal privacy,

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 35th day of November, 2022.

ASHLEY S. JENNING

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
Apple Inc.,)	ORDER
1 Infinite Loop)	
Cupertino, CA 95014)	
)	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/1/22 6 1:29 DM

Megan E. Marshall Magistrate Judge

2

LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the A for a Search Warrant)	Case No. CR29-	
Apple Inc., 1 Infinite Loop	ior.)	RETURN OF SEARCH	I WARRANT
Cupertino, CA 95014			į		
MPD Case No. 22-M	09903	1) 		
STATE OF IDAHO)				
County of Latah	:ss.)				

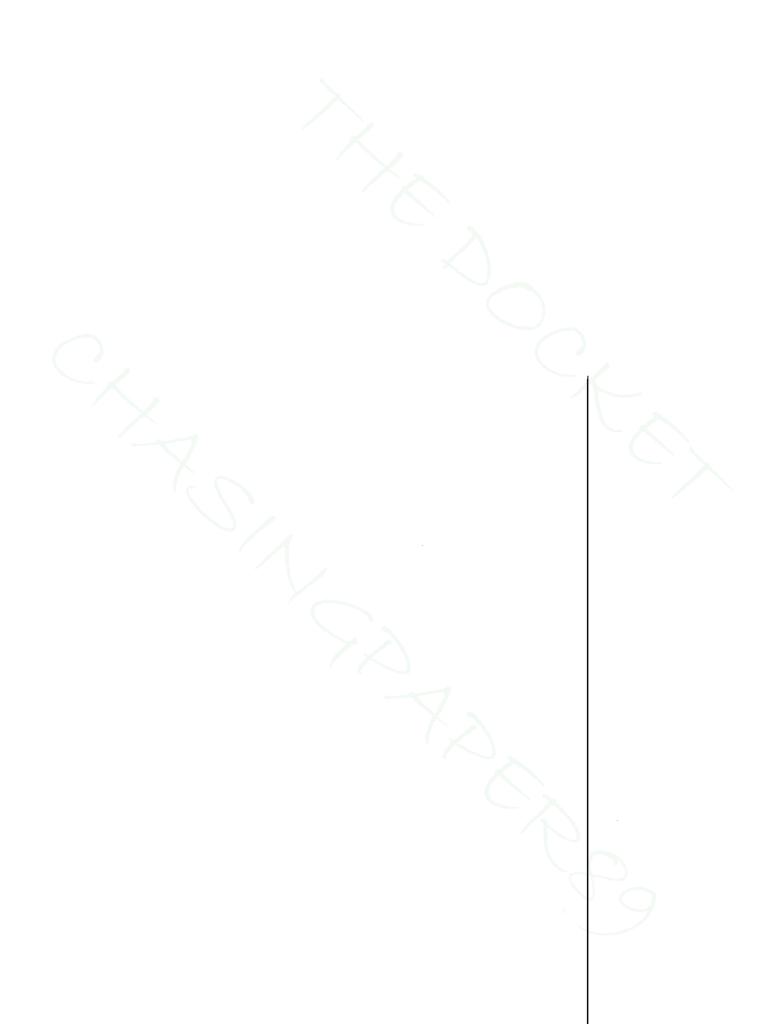
I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 9:00 o'clock a.m., this 30th day of November, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

IN THE MATTER OF THE APPLICATION FOR A SEARCH WARRANT FOR	Case No.
Apple Inc.,	RECEIPT AND
1Infinite Loop	INVENTORY OF WARRANT
Cupertino, CA 95014	
	, 20 <u>22</u> , at approximately <u>6:41</u> o'clock <u>p</u> .M.,
the following peace officers: Detective Law	rence Mowery
The person(s) found in said place were:	vas obtained by:
The property found and taken and the local as follows:	cation within or upon said place and/or person(s) are
DESCRIPTION OF PROPERTY	LOCATION/PERSON
1841	
IMEI	



This Receipt and Inventory was made in the presence of:
A copy hereof was given to the following named person(s) on the day of
A copy hereof was left on this date in a conspicuous place in the place searched, there being a person(s) present during said search:
DATED this
WITNESS FEACE OFFICER
The undersigned person(s) hereby acknowledge receiving a copy hereof on this day of

In the Matter of the Application)	Case No. CR29-
for a Search Warrant for:)	
)	
Apple Inc.,)	SEARCH WARRANT
1 Infinite Loop)	
Cupertino, CA 95014)	
)	
MPD Case No. 22-M09903		
TO. AND DEACE OFFICED	ATTTTODIT	ED TO ENTOROR OF

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe property consisting of there is probable cause to believe that the property referred to and sought in or upon said premises consists of there is probable cause to believe that the property referred to and sought in or upon said premises consists records related to the crime(s) of homicide on the Apple iCloud account(s) associated with Ethan Chapin with the following

IDENTIFIERS:

, phone number

1841, and/or IMEI

., (hereafter referred to as "the CHAPIN ACCOUNT"), from August 1, 2022, to November 18, 2022, including:

 All records or other information regarding the identification of the account, to include full name, physical address, telephone numbers, email addresses (including primary, alternate, rescue, and notification email addresses, and verification information for each email address), the date on which the account was created, the length of service,

SEARCH WARRANT



- the IP address used to register the account, account status, methods of connecting, and means and source of payment (including any credit or bank account numbers);
- All records or other information regarding the devices associated with, or used in connection with, the account (including all current and past trusted or authorized iOS devices and computers, and any devices used to access Apple services), including serial numbers, Unique Device Identifiers ("UDID"), Advertising Identifiers ("IDFA"), Global Unique Identifiers ("GUID"), Media Access Control ("MAC") addresses, Integrated Circuit Card ID numbers ("ICCID"), Electronic Serial Numbers ("ESN"), Mobile Electronic Identity Numbers ("MEIN"), Mobile Equipment Identifiers ("MEID"), Mobile Identification Numbers ("MIN"), Subscriber Identity Modules ("SIM"), Mobile Subscriber Integrated Services Digital Network Numbers ("MSISDN"), International Mobile Subscriber Identities ("IMSI"), and International Mobile Station Equipment Identities ("IMEI");
- The contents of all emails associated with the account, including stored or preserved copies of emails sent to and from the account (including all draft emails and deleted emails), the source and destination addresses associated with each email, the date and time at which each email was sent, the size and length of each email, and the true and accurate header information including the actual IP addresses of the sender and the recipient of the emails, and all attachments;
- The contents of all instant messages associated with the account, including stored or
 preserved copies of instant messages (including iMessages, SMS messages, and MMS
 messages) sent to and from the account (including all draft and deleted messages), the
 source and destination account or phone number associated with each instant
 message, the date and time at which each instant message was sent, the size and
 length of each instant message, the actual IP addresses of the sender and the recipient
 of each instant message, and the media, if any, attached to each instant message;
- The contents of all files and other records stored on iCloud, including all iOS device backups, all Apple and third-party app data, all files and other records related to iCloud Mail, iCloud Photo Sharing, My Photo Stream, iCloud Photo Library, iCloud Drive, iWorks (including Pages, Numbers, and Keynote), iCloud Tabs, and iCloud Keychain, and all address books, contact and buddy lists, notes, reminders, calendar entries, images, videos, voicemails, device settings, and bookmarks;
- All activity, connection, and transactional logs for the account (with associated IP addresses including source port numbers), including FaceTime call invitation logs, mail logs, iCloud logs, iTunes Store and App Store logs (including purchases, downloads, and updates of Apple and third-party apps), messaging and query logs (including iMessage, SMS, and MMS messages), My Apple ID and iForgot logs, sign-on logs for all Apple services, Game Center logs, Find my iPhone logs, logs associated with iOS device activation and upgrades, and logs associated with webbased access of Apple services (including all associated identifiers);

- All records and information regarding locations where the account was accessed, including all data stored in connection with Location Services;
- All records pertaining to the types of service used;
- All records pertaining to communications between Apple and any person regarding the account, including contacts with support services and records of actions taken;

located in or upon the following premises owned, maintained, controlled, or operated by

Apple Inc., a company headquartered at Apple Inc., 1 Infinite Loop, Cupertino, CA 95014.

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and to bring it promptly before the Court above named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time), AND UNDER THE FOLLOWING SPECIAL DIRECTIONS:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, APPLE IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

APPLE SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY.	HAND	and	DATED	this	21st	_ day	of	November,	, 2022,	, a
4:20			_ p	m.								
							Meg	an		Marsha	ll	
							Magistrat					_

Filed: 02/28/2023 08:49:30 Second Judicial District, Latah County Julie Fry, Clerk of the Court By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

AT&T Mobility 11760 US Highway 1, Suite 600 North Palm Beach, FL 33408

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (E), the court finds it necessary to seal in part and redact the record related the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) It is necessary to preserve the right to a fair trial.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2/27/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

AT&T 11760 U.S. Highway 1, Suite 300 North Palm Beach, FL 33408 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until April 7, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this The day of January, 2023. 6 9:15 cm

Magistrate Judge

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

1

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

AT&T 11760 U.S. Highway 1, Suite 300 North Palm Beach, FL 33408 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this LtM day of January, 2023.

ASHLEY S. JENNINGS

Sr. Deputy Presecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for:) Case No. CR29-
AT&T Mobility 11760 U.S. Highway 1, Suite 300) RETURN OF SEARCH WARRANT
North Palm Beach, FL 33408-3029)
MPD Case No. 22-M09903	<u>)</u>
STATE OF IDAHO)	
County of Latah)	
County of Latent	

I, CPL Brett Payne, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 9:00 o'clock a.m., this 6th day of January, 2023.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

01/06/2023 (Date)

REDACTED

Peace Officer

AFFIDAVIT OF BRETT PAYNE

STATE OF IDAHO)		
County of Latah	:ss.)		
T CDI Ductt D	las ma	haina	dulu a

I, CPL Brett Payne, being duly sworn, do hereby state the following information is true and correct to the best of my knowledge and belief:

- (1) That I am employed by Moscow Police Department in the official position of Detective Corporal;
- (2) Affidavit has been a trained and qualified peace office for 4 years;
- (3) On 12/23/2022, Cpl Brett Payne obtained a search warrant for AT&T;
- (4) The warrant was served on 12/23/2022, by email (fax, email, etc);
- (5) On 12/23/2022, Lawrence Mowery received an e-mail from AT&T which contained the requested information;
- (6) An inventory was prepared for all the items received; and
- (7) The information received was placed into evidence at the Moscow Police Department.

 FURTHER your Affiant sayeth not.

CPL BRETT PAYNE
Affiant

I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

1/4/23 (Date) Signature)

IN THE MATTER OF	Case No.		
THE APPLICATION FOR A SEARCH WARRANT FOR			
AT&T 11760 U.S. Highway 1, Suite 300	RECEIPT AND INVENTORY OF WARRANT		
North Palm Beach, FL 33408-3029			
On the 23rd day of December	, 20 <u>22</u> , at approximately <u>10:28</u> o'clockM.,		
the following peace officers: Detective Law	rence Mowery		
served the Search Warrant heretofore issued	upon the place and/or person(s) described therein as		
directed in said Search Warrant. Entrance w	vas obtained by: email		
The person(s) found in said place were:			
The property found and taken and the loc	eation within or upon said place and/or person(s) are		
as follows:			
DESCRIPTION OF PROPERTY	LOCATION/PERSON		

This Receipt and Inventor	ry was made in the presence of:	<u></u>
A copy hereof was given	to the following named person(s) on the 23xp	day of
DECEMBER	, 20 27 ;	
A copy hereof was left or	this date in a conspicuous place in the place searched, the	ere being no
person(s) present during said	i search: SERVES TO ATIT	2
DATED this 6	day of	
	7m #187	
WITNESS	PEACE OFFICER	
The undersigned person((s) hereby acknowledge receiving a copy hereof on this _	day of
· · ·	; 20:	
		_

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
AT&T Mobility)	ORDER
11760 U.S. Highway 1, Suite 300)	
North Palm Beach, FL 33408-3029	j (
)	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 1/7/22 & 9:15 am.

Megan E. Marshall Magistrate Judge

In the Matter of the Application For a Search Warrant for:) Case No. CR29-
AT&T	
11760 U.S. Highway 1, Suite 300	SEARCH WARRANT
North Palm Beach, FL 33408-3029 MPD Case No. 22-M09903	}
NILLY CASE INC. 22-MO9903	

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Brett Payne, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe property consists of certain evidence regarding the investigation into the crime(s) of homicide at 1122 King Road in Moscow, Idaho is on the AT&T account associated with the phone number between November 12, 2022 at 12:00 a.m. PST to November 14, 2022 at 12:00 a.m. PST. Information should include user account information, location data, and stored communications held by AT&T, described in further detail as follows:

1. All customer/subscriber information, including any listed addresses, other listed telephone number(s), social security number(s), dates of birth, name(s), address(es), any other customer identifying information, mobile handset or device identifiers/serial numbers (MEID, ESN, IMSI, IMEI, SUPI), activation date and deactivation date, and point of purchase or location device was purchased if applicable;



- Device Purchase Information. This is specifically to include the Date, Time and Location of where the device or any pre-paid refill cards were purchased as well as any information maintained about the purchase to include store name, store number, terminal number, and amount of purchase;
- Any email addresses associated with the account or with the device that is currently on file and stored in the normal course of business of the Service Provider;
- 4. Call detail records, including detailed information in reference to all known outgoing and incoming calls associated with the account, dates and times calls were made, and duration of all calls made or received. This is to include any other pertinent call detail records including special features codes, or any other codes that are maintained in the normal course of business for the Service Provider, of any cellular numbers identified in the course of the investigation. In addition to voice calls, this would also include any detail records showing text messages, MMS messages, or data activity;
 - a. In the event the requested Call Detail Records contain other Service Provider customer numbers, identified as either incoming or outgoing calls, the Service Provider will provide subscriber information to the specific numbers identified, if requested.
- 5. Cell site information, to include all known cell towers associated with outgoing and incoming calls (Call Detail Records). This information is to include any sector information, azimuth for each identified sector, cell site location, handoff tower and sector, time on tower information, and any other related material that would be necessary to identify the location and sector in reference to the cell site information associated with the call detail records. In the event text messages, MMS messages, Data activity, including IP sessions and destination addresses that were produced, these records are also included in this request;
- Cell site locations for all Service Provider Cell Sites, sector information, including azimuth headings, in the regional market associated with the requested cell site information;
- 7. Location information, to include any estimated or known longitude and latitude of the cellular device's current location, or approximate location, information received by cell tower(s) in reference to direction and distance from the tower a device may be located (timing and triangulation information). Radio Frequency signal strengths, direction, and transmission information. The geographical constraints of location information will be limited to the United States;
- 8. Location information can be in the form of historical records. This would include

any reports of device activity that would include the approximate latitude and longitude of the device at the time of the activity, estimated margin of error, direction and distance from the tower, and other location related information commonly referred to as Real Time Tool (RTT), Timing Advance Information, Location Database of Record (LocDBoR). This further includes any other report similar in nature that would provide an estimate of the cellular phone on the Service Provider's network;

- All text message and/or MMS messages, including message content, currently stored in the normal course of business for the Service Provider, to include any cloud services which allow for the long-term storage of both voicemails and SMS/MMS messages;
- 10. Cloud Data, any content that may have been backed up to Cloud Storage for the listed dates/times. If said Cloud Storage has been provided by a third-party provider, please provide relevant contact information for that provider;

located within the following described premises:

AT&T

Attn: Global Legal Demands Center 11760 US Highway 1, Suite 600 North Palm Beach, FL 33408

Please provide this information to Brett Payne at

in digital

format on a compact disk in Excel, PDF or TXT format. You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within 14 days of issuance, and is authorized for daytime or nighttime service (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, THE SERVICE PROVIDER (AT&T) IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90

3

DAYS OR UNTIL FURTHER ORDER OF THE COURT.

THE SERVICE PROVIDER SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN UNDER MY HAND and DATED this 10:03a.m.	23rd day of December, 2022, at
	Megan Marshall
	Magistrate Judge

Filed: 02/28/2023 08:47:33

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

AT&T Mobility 11760 US Highway 1, Suite 600 North Palm Beach, FL 33408

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and I.C. §74-124(1)(e), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) Production of such records would disclose investigative techniques and procedures. After due consideration and good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2/27/2023

Megan E. Marshall Magistrate Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

AT&T Mobility 11760 US Highway 1, Suite 600 North Palm Beach, FL 33408

MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until February 28, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this day of November, 2022.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

1

LATAH COUNTY PROSECUTOR'S OFFICE WILLIAM W. THOMPSON, JR. PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 2613

paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

AT&T Mobility 11760 US Highway 1, Suite 600 North Palm Beach, FL 33408 Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

- 1. Interfere with enforcement proceedings;
- 2. Constitute an unwarranted invasion of personal privacy,

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this ______ day of November, 2022.

Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE WILLIAM W. THOMPSON PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.2613 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
AT&T Mobility	:)	ORDER
11760 U.S. Highway 1, Suite 300)	
North Palm Beach, FL 33408-3029)	
)	
MPD Case No. 22-M09903)	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/1/22 0 1:27 pM

Megan E. Marshall Magistrate Judge LATAH COUNTY PROSECUTOR'S OFFICE William W. Thompson Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 2613 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

in the Matter of the A	Application)	Case No. CR29-	
for a Search Warrant	for:)		
AT&T Mobility)	RETURN OF SEARCH	WARRANT
11760 U.S. Highway	1, Suite 300)		
North Palm Beach, F	L 33408-3029)		
)		
MPD Case No. 22-M	109903)		
STATE OF IDAHO)			
	:ss.			
County of Latah)		•	

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 9:00 o'clock a.m., this 30 day of November, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF IDAHO)
	:ss
County of Latah)

I, Lawrence Mowery, being duly sworn, do hereby state the following information is true and correct to the best of my knowledge and belief:

- (1) That I am employed by Moscow Police Department in the official position of Forensic Detective;
- (2)Affidavit has been a trained and qualified peace office for 12 years;
- (3)On 11/16/22, I obtained a search warrant for AT&T Cell Tower;
- The warrant was served on 11/17/2022, by email (fax, email, etc); (4)
- (5) On 11/17/22, I received an e-mail from AT&T which contained the requested information;
- (6) An inventory was prepared for all the items received; and
- The information received was placed into evidence at the Moscow Police Department. (7)

FURTHER your Affiant sayeth not.

I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

11/3./22 (Date)

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

AT&T Mobility 11760 U.S. Highway 1, Suite 300 North Palm Beach, FL 33408 On the17 day of November, 2022_, at approximately 10:21 o'clock a_M the following peace officers: Detective Lawrence Mowery served the Search Warrant heretofore issued upon the place and/or person(s) described therein a directed in said Search Warrant. Entrance was obtained by: The person(s) found in said place were: The property found and taken and the location within or upon said place and/or person(s) are as follows: DESCRIPTION OF PROPERTY LOCATION/PERSON GPS Coordinates	IN THE MATTER OF THE APPLICATION FOR A SEARCH WARRANTE FOR	Case No.
INVENTORY OF WARRANT North Palm Beach, FL 33408	FOR A SEARCH WARRANT FOR	
North Palm Beach, FL 33408 On the17day of	AT&T Mobility	
On the17 day of	11760 U.S. Highway 1, Suite 300	INVENTORY OF WARRANT
served the Search Warrant heretofore issued upon the place and/or person(s) described therein a directed in said Search Warrant. Entrance was obtained by: The person(s) found in said place were: The property found and taken and the location within or upon said place and/or person(s) are as follows: DESCRIPTION OF PROPERTY LOCATION/PERSON	North Palm Beach, FL 33408	
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served the Search Warrant heretofore issued upon the place and/or person(s) described therein a directed in said Search Warrant. Entrance was obtained by: The person(s) found in said place were: The property found and taken and the location within or upon said place and/or person(s) are as follows: DESCRIPTION OF PROPERTY LOCATION/PERSON	the following peace officers: Detective Law	rence Mowery
The person(s) found in said place were: The property found and taken and the location within or upon said place and/or person(s) are as follows: DESCRIPTION OF PROPERTY LOCATION/PERSON		
The person(s) found in said place were: The property found and taken and the location within or upon said place and/or person(s) are as follows: DESCRIPTION OF PROPERTY LOCATION/PERSON		
The person(s) found in said place were: The property found and taken and the location within or upon said place and/or person(s) are as follows: DESCRIPTION OF PROPERTY LOCATION/PERSON	served the Search Warrant heretofore issued	upon the place and/or person(s) described therein as
The property found and taken and the location within or upon said place and/or person(s) are as follows: DESCRIPTION OF PROPERTY LOCATION/PERSON	directed in said Search Warrant. Entrance w	vas obtained by:
The property found and taken and the location within or upon said place and/or person(s) are as follows: DESCRIPTION OF PROPERTY LOCATION/PERSON		
The property found and taken and the location within or upon said place and/or person(s) are as follows: DESCRIPTION OF PROPERTY LOCATION/PERSON		
as follows: DESCRIPTION OF PROPERTY LOCATION/PERSON	The person(s) found in said place were:	
as follows: DESCRIPTION OF PROPERTY LOCATION/PERSON		
as follows: DESCRIPTION OF PROPERTY LOCATION/PERSON		
DESCRIPTION OF PROPERTY LOCATION/PERSON	The property found and taken and the loc	cation within or upon said place and/or person(s) are
	as follows:	
GPS Coordinates	DESCRIPTION OF PROPERTY	LOCATION/PERSON
	GPS Coordinates	

RECEIPT AND INVENTORY

PAGE 1 OF 2 PAGES

This Receipt and Inventory was made	de in the presence of:
	owing named person(s) on the day of
	20;
A copy hereof was left on this date i	in a conspicuous place in the place searched, there being no
person(s) present during said searem _	
DATED this day of	<u>November</u> , 20 <u>22</u> .
WITTNIEGG	PEACE OFFICER
WITNESS	REACE OFFICER
The undersigned person(s) hereby	acknowledge receiving a copy hereof on this day of
The undersigned person(s) hereby	

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for:)	Case No. CR29-
AT&T)	SEARCH WARRANT
Attn: Global Legal Demands Center)	
11760 US Highway 1, Suite 600)	
North Palm Beach, FL 33408)	
)	
)	
MPD Case No. 22-M09903		

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Detective Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe there are for records and information associated with certain cellular towers ("cell towers") and records generated by the cellular network that are in the possession, custody, and/or control of AT&T, hereafter "the Service Provider," a cellular service provider; and data is in possession of the Service Provider and that the data may contain of a homicide between November 13, 2022 from 3:00 a.m. to 5:00 a.m. (Pacific Standard Time) including the following:

A. Search of all records and unique device/user identifiers pertaining to Timing Advance, Real Time Tool (RTT), Location Database of Record (LocDBoR) location information during the following listed dates, times and geographical boundaries (distance from GPS points):

SEARCH WARRANT

REDACTED

GPS Coordinates: Distance from Location: 0.50 miles
Date: November 13, 2022 Time: 3:00 a.m. – 5:00 a.m. (PST)

- B. For each search area described above, the Service Provider is required to disclose all records and other information (not including the contents of communications) about all communications made and all cellular device interactions with the network that have generated location information that falls within the defined search area during the corresponding timeframe(s) listed above, including records that identify:
 - i. the unique identifiers for each wireless device that generated a Timing Advance, RTT, and/or LocDBoR record within the search area for each location, including Electronic Serial Numbers ("ESN"), Mobile Electronic Identity Numbers ("MEIN"), Mobile Identification Numbers ("MIN"), Subscriber Identity Modules ("SIM"), Mobile Subscriber Integrated Services Digital Network Numbers ("MSISDN"), International Mobile Subscriber Identifiers ("IMSI"), International Mobile Equipment Identities ("IMEI"), and the make and model of the device;
 - ii. the starting and ending date/time of the connection along with the duration;
 - iii. for each communication with the network the tower and the "sector(s)" (i.e. the face(s) of the tower(s)) that received a radio signal from the locally served wireless device for both starting and ending points of the communication;
 - iv. the service type for the communication;
 - v. the estimated latitude and longitude (along with confidence level) and the distance from the tower for both the starting and ending points of the communication contained within the Timing Advance, RTT, and/or LocDBoR records.
- C. These records should include records about communications and cellular device interactions with the network that were initiated before or terminated after the timeframe(s) identified in above if some part of the communication occurred during the relevant timeframe(s) listed above;

The above-described evidence is located within the following described premises:

AT&T Attn: Global Legal Demands Center 11760 US Highway 1, Suite 600

North Palm Beach, FL 33408

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within 7 days of issuance, and is authorized for daytime or nighttime service (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, AT&T IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

AT&T SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY	HAND	and	DATED	this	16th	da	ıy	of Novemb	er,	2022,	a
9:22	 		<u>p</u>	m.									
								Megas	n	Mars	ka	ll	
							M	lagistrate Ju	ıdg	е			_

Filed: 02/28/2023 08:53:11 Second Judicial District, Latah County Julie Fry, Clerk of the Court

By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Bank of America Attn: Legal Order Processing 800 Samoset Drive Newark, DE 19713

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2/27/2023

Megan E. Marshall
Magistrate Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Bank of America Attn: Legal Order Processing 800 Samoset Drive Newark, DE 19713

MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED **DOCUMENTS**

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 8, 2023, or further order of the Court, whichever occurs first.

SO ORDERED _

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

paservice@latah.id.us

Case No.

Bank of America Attn: Legal Order Processing 800 Samoset Drive Newark, DE 19713 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this _____ day of December, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

)	
In the Matter of the A	pplication)	Case No. CR29-
For a Search Warrant	for:)	
())	
Bank of America)	RETURN OF
Attn: Legal Order Pro	cessing)	SEARCH WARRANT
800 Samoset Drive	-	ĺ	
Newark, DE 19713		j	
		j	
MPD Case No. 22-M	09903	_)	
STATE OF IDAHO)		
	:ss.		
County of Latah)		
_			

I, Detective Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 9:30 o'clock a.m., this 8th day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/08/2022 (Date)

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STAT	E OF II	DAHO)				
Count	y of Lat	iss. ah)				
	I, Law	rence Mowery, being duly sworn, do hereby state the following information is true and				
correct		best of my knowledge and belief:				
	(1)	That I am employed by Moscow Police Department in the official position of Forensic				
		Detective;				
	(2)	Affidavit has been a trained and qualified peace office for 12 years;				
	(3)	On 11/19/22, I obtained an amended search warrant for Bank of America;				
	(4)	The warrant was served on 11/21/2022, by email and FedEx(fax, email, etc);				
	(5) On 12/06//22, I received an e-mail from Bank of America which contained the					
		requested information;				
	(6)	An inventory was prepared for all the items received; and				
	(7)	The information received was placed into evidence at the Moscow Police Department.				
	FURT	HER your Affiant sayeth not.				
		Lawrence Mowery Affiant				
	I certif	fy (or declare) under penalty of perjury pursuant to the law the State of Idaho that				
the for	regoing	is true and correct.				
	12/08/ (Date)					

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

IN THE MATTER OF THE APPLICATION	Case No.
FOR A SEARCH WARRANT FOR	*
Bank of America	RECEIPT AND
800 Samoset Drive	INVENTORY OF WARRANT
Newark, DE 19713	
-/	
On the 21st day of November	, 2022, at approximately 12:00 o'clock A.M.,
the following peace officers: <u>Detective Law</u>	vrence Mowery
directed in said Search Warrant. Entrance v	d upon the place and/or person(s) described therein as was obtained by: Fedex and
The person(s) round in said place word.	
The property found and taken and the local as follows:	cation within or upon said place and/or person(s) are
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial Records for Ethan Chapin	
Financial Records for Maddie Mogen	
Financial Records for Xana Kernodle	
Financial Records for Kaylee Goncalves	

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial Records for	×
Financial Records for	
Financial Records for	

This Receipt and Inventory was	made in the presence of:		
		· · · · · · · · · · · · · · · · · · ·	
A copy hereof was given to the f) on the	day of
	, 20;		
			4
A copy hereof was left on this da person(s) present during said search	-	in the place searched,	there being no
DATED this 8th day of	December	, 20 <u>22</u>	
		An	
WITNESS	PEACE	OFFICER	
The undersigned person(s) herel	by acknowledge receiving	g a copy hereof on this	s day of
	; 20:		

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Bank of America)	
Attn: Legal Order Processing)	ORDER
800 Samoset Drive)	
Newark, DE 19713)	
	j	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

ORDER 1

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any

person or laboratories for the purpose of conducting or obtaining any tests, analysis, or

identification of said property which is deemed necessary by the custodial law enforcement agency

or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/9/22 6 11:04 am

Megan E. Marshall Magistrate Judge

ORDER 2

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for:

Bank of America Attn: Legal Order Processing 800 Samoset Drive Newark, DE 19713

MPD Case No. 22-M09903

Case No.

SEARCH

WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime(s) of homicide to include all records and documents (the terms "records" and "documents" mean any and all tangible forms of expression in your possession, custody, or control, in any language or format, and include, but are not limited to, writings, papers, and tape recordings, electronic video and audio recordings (e.g. video surveillance), microform, electromagnetic recordings, optical

recordings, electronic files or records, photographs, drafts, finished versions, originals, and copies, however created, produced, or stored. Video surveillance/images pertaining to account transactions (to include account opening, deposit, withdrawals, etc.) are included with this request. Supporting information can be provided to help identify surveillance video/images for some of the transactions) from September 1, 2022 to present in the name or control of:

- Ethan Chapin,
- Madison May Mogen,
- Xana Alexia Kernodle,
- Kaylee Jade GonCalves,
- •
- •
- to include the following:
 - All Open and Closed accounts: all records pertaining to the individuals(s) or business
 entities identified in this letter whether held jointly or severally or as trustee or fiduciary
 as well as custodian, executor or guardian, as well as any other entity in which these
 individual(s) or entities may have a financial interest; includes all accounts in which these
 individuals had signatory authority and/or the right of withdrawal; these records should
 include:
 - Signature cards;
 - Statement Data/Monthly Account Statements;
 - Identification of and name assigned on all Debit Cards on account;
 - Deposits and supporting documentation including but not limited to evidence of cash, cancelled deposited checks front and back, transfers from other accounts including full account number and name, and other credit information.
 - Checks and other withdrawals including but not limited to cancelled checks front and back, withdrawals and offsets, evidence of cash withdrawals, transfers from other accounts including account number and name, other debit information;
 - Wire transfers in and out including wire transfer instructions and evidence of requestor if possible;
 - Evidence of cash transactions and identifying information of individuals conducting cash transactions;
 - Identification of sender or recipient bank, full account number, and account name on ACH transfers, online transfers, teller transfers, or other transfers;
 - Electronic/Internet records: for those customers who engage in online banking with your financial institution, the following information pertaining to that online banking account:

usernames or other identifying information for the account; e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter; historical access logs for authentication to the account including Internet Protocol (IP) addresses for this account and date, time and duration of each session;

- Certificate of Deposit and Money Market Certificates: including applications, actual
 instrument(s), records of purchases and redemptions, checks issued on redemption,
 checks used to purchase certificates, any correspondence and any Forms 1099 issued,
 records revealing the annual interest paid or accumulated, the dates of payment or date
 interest is earned, and checks issued for interest payments;
- Credit Card records (e.g. MasterCard and Visa): including customer's application, signature card, credit or background investigations conducted, correspondence, monthly billing statements, individual charge invoices, repayment records, disclosing the date, amounts and method of repayment, checks used to make repayments (front and back);
- Purchase of Bank Checks: purchases of bank checks, cashiers, teller, traveler's check
 records, or money order records, including the check register, file copies of the check or
 money orders, records revealing the date and source of payment for said checks or money
 orders;
- Correspondence: all records of correspondence/communication between the customer and the financial institution relating to the above services or for any other purpose, including customer service inquiries or requests for assistance;
- Safe Deposit Boxes: any and all information pertaining to safe deposit boxes held by customer including safe deposit application, authorized signers, and access logs;
- Other records: all applications, forms, and other written documents completed by the
 customer; records of certified checks, wire transfers, or collections, letter credit, bonds
 and securities purchased through your financial institution, savings bond transaction and
 investment accounts. Such records that disclose the date and amount of the transaction,
 method (cash or check) and source of payment, instruments and statements of
 transactions; all correspondence with the above individual(s)/entities and/or with third
 parties regarding the above individual(s)/entities; all memoranda, notes, files, or records
 relating to meetings or conversations concerning the above individual(s)/entities;

located at the following premises:

Bank of America Attn: Legal Order Processing 800 Samoset Drive Newark, DE 19713

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and bring it promptly before the Court above-named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS

	UNDER	MY			DATED	this	19th	day	of	November,	2022, a
5:35			_ <u>P</u>	.m.			.		,		
							Mega Magistrate	n M	lar	shall	_
							wiagistate	Judge			
			14	• • •					:		• .
	•	. ,	•		•				•	• •	

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Case No.

ORDER FOR EXTENSION TO RETURN SEARCH WARRANT

Bank of America Attn: Legal Order Processing 800 Samoset Drive Newark, DE 19713

MPD Case No. 22-M09903

The above matter having come before the Court based upon the motion of the State, and good cause appearing:

IT IS HEREBY ORDERED that the time for which the above referenced search warrant shall be returned is extended to March 2, 2023.

SO ORDERED this 12/2/22 @ 3:41 pu

CERTIFICATE OF DELIVERY

•	and correct copies of the ORDER FOR ARRANT were served on the following in the
William W. Thompson, Jr. Latah County Prosecuting Attorney Latah County Courthouse Moscow, ID 83843	☐ Mailed ☐ E-filed & Served / E-mailed ☐ Faxed ☑ Hand Delivered
Dated 12 5 20	
	TONYA DODGE Latah County Clerk of the Court By: 20010100000000000000000000000000000000

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Case No.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

Bank of America Attn: Legal Order Processing 800 Samoset Drive Newark, DE 19713

MPD Case No. 22-M09903

The State of Idaho by and through Ashley S. Jennings, Latah County Sr. Deputy Prosecuting Attorney, moves this Court for an order extending the time for returning the above referenced search warrant which was issued on the 19th day of November, 2022 The search warrant was directed by the Court to be served within fourteen (14) days of issuance during business hours. The warrant was served by Michael Douglas on the 21st day of November, 2022, by Fedex. However, as of this date, the information has not been received.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

Although the warrant was executed within the fourteen (14) day timeframe directed by I.C. 19-4412, the State is not able to comply with the timeframe within which to return the warrant and provide a written inventory. Accordingly, the State requests an extension of time for the return of the search warrant.

RESPECTFULLY SUBMITTED this 1/2010 day of December, 2022.

ASHLEY

Sr. Deputy Prosecuting Attorney

Filed: 02/28/2023 08:51:38

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Banner Bank ATTN Legal Department 802 W Riverside Ste 300 Spokane WA 99201

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2/27/2023

Megan E. Marshall Magistrate Judge

O. ______DEPUTY

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Banner Bank ATTN Legal Department 802 W Riverside Ste 300 Spokane WA 99201

MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 8, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/7/22 P 4:34 PM

Magistrate Judge

CASE NO. ______DEPUTY

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Banner Bank ATTN Legal Department 802 W Riverside Ste 300 Spokane WA 99201 Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

- 1. Interfere with enforcement proceedings;
- Constitute an unwarranted invasion of personal privacy, 2.
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this UM day of December, 2022.

Sr. Deputy Prosecuting Attorney

CLRK OF DIST CT. LATAH

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

)
) Case No. CR29-
)
)
) RETURN OF
) SEARCH WARRANT
)
)
.)
)

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 915 o'clock a.m., this 7th day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/07/2022 (Date)

Peace Officer

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF II					
County of Lat	ah)				
I, Law	rence Mowery, being duly sworn, do hereby state the following information is true and				
correct to the	best of my knowledge and belief:				
(1)	That I am employed by Moscow Police Department in the official position of Forensic				
	Detective;				
(2)	Affidavit has been a trained and qualified peace office for 12 years;				
(3)	On 11/28/22, I obtained a search warrant for Banner Bank;				
(4)	The warrant was served on 11/28/2022 by email (fax, email, etc);				
(5)	On 12/1//2022, I received an e-mail from Banner Bank which contained the requested				
	information;				
(6)	An inventory was prepared for all the items received; and				
(7)	The information received was placed into evidence at the Moscow Police Department.				
FURT	HER your Affiant sayeth not.				
	Lawrence Mowery Affiant				
I certi	fy (or declare) under penalty of perjury pursuant to the law the State of Idaho that				
the foregoing	is true and correct.				
12/07/					
(Date)	(Signature)				

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

IN THE MATTER OF THE APPLICATION	Case No.
FOR A SEARCH WARRANT FOR	
Banner Bank	RECEIPT AND
802 W Riverside; Ste 300	INVENTORY OF WARRANT
Spokane, WA 99201	
On the 28 day of November	, 20 <u>22</u> , at approximately <u>1:21</u> o'clock <u>P</u> .M.
the following peace officers: Detective Lav	wrence Mowery
served the Search Warrant heretofore issued	d upon the place and/or person(s) described therein as
directed in said Search Warrant. Entrance v	was obtained by:
The person(s) found in said place were:	
	cation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial records for Ethan Chapin	
Financial records for Maddie Mogen	
Financial records for Xana Kernodle	
Financial records for Kaylee Goncalves	

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial records for	<u>/</u>
Financial records for	
Financial records for	
	X
	X
	() x

This Receipt and Inventory was made in the	presence of:
A copy hereof was given to the following nature of the	amed person(s) on the day of
A copy hereof was left on this date in a consperson(s) present during said search: DATED this7 day of	
WITNESS	LCm 167 PEACE OFFICER
The undersigned person(s) hereby acknowl	edge receiving a copy hereof on this day of:

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
ISB No.8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

Case No.
ORDER

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

ORDER 1

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any

person or laboratories for the purpose of conducting or obtaining any tests, analysis, or

identification of said property which is deemed necessary by the custodial law enforcement agency

or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/7/22 p 4:35 py.

Megan E. Marshall Magistrate Judge

ORDER 2

34 _______DEPUTY

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for:

Banner Bank ATTN Legal Department 802 W Riverside Ste 300 Spokane WA 99201

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime(s) of homicide to include all records and documents (the terms "records" and "documents" mean any and all tangible forms of expression in your possession, custody, or control, in any language or



format, and include, but are not limited to, writings, papers, and tape recordings, electronic video and audio recordings (e.g. video surveillance), microform, electromagnetic recordings, optical recordings, electronic files or records, photographs, drafts, finished versions, originals, and copies, however created, produced, or stored. Video surveillance/images pertaining to account transactions (to include account opening, deposit, withdrawals, etc.) are included with this request. Supporting information can be provided to help identify surveillance video/images for some of the transactions) from September 1, 2022 to present in the name or control of:

- Ethan Chapin,
- Madison May Mogen,
- Xana Alexia Kernodle,
- Kaylee Jade GonCalves,
- _
- •
- _

to include the following:

- All Open and Closed accounts: all records pertaining to the individuals(s) or business
 entities identified in this letter whether held jointly or severally or as trustee or fiduciary
 as well as custodian, executor or guardian, as well as any other entity in which these
 individual(s) or entities may have a financial interest; includes all accounts in which these
 individuals had signatory authority and/or the right of withdrawal; these records should
 include:
 - Signature cards;
 - Statement Data/Monthly Account Statements;
 - Identification of and name assigned on all Debit Cards on account;
 - Deposits and supporting documentation including but not limited to evidence of cash, cancelled deposited checks front and back, transfers from other accounts including full account number and name, and other credit information.
 - Checks and other withdrawals including but not limited to cancelled checks front and back, withdrawals and offsets, evidence of cash withdrawals, transfers from other accounts including account number and name, other debit information;
 - Wire transfers in and out including wire transfer instructions and evidence of requestor if possible;

- Evidence of cash transactions and identifying information of individuals conducting cash transactions;
- Identification of sender or recipient bank, full account number, and account name on ACH transfers, online transfers, teller transfers, or other transfers;
- Electronic/Internet records: for those customers who engage in online banking with your financial institution, the following information pertaining to that online banking account: usernames or other identifying information for the account; e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter; historical access logs for authentication to the account including Internet Protocol (IP) addresses for this account and date, time and duration of each session;
- Certificate of Deposit and Money Market Certificates: including applications, actual
 instrument(s), records of purchases and redemptions, checks issued on redemption,
 checks used to purchase certificates, any correspondence and any Forms 1099 issued,
 records revealing the annual interest paid or accumulated, the dates of payment or date
 interest is earned, and checks issued for interest payments;
- Credit Card records (e.g. MasterCard and Visa): including customer's application, signature card, credit or background investigations conducted, correspondence, monthly billing statements, individual charge invoices, repayment records, disclosing the date, amounts and method of repayment, checks used to make repayments (front and back);
- Purchase of Bank Checks: purchases of bank checks, cashiers, teller, traveler's check
 records, or money order records, including the check register, file copies of the check or
 money orders, records revealing the date and source of payment for said checks or money
 orders;
- Correspondence: all records of correspondence/communication between the customer and the financial institution relating to the above services or for any other purpose, including customer service inquiries or requests for assistance;
- Safe Deposit Boxes: any and all information pertaining to safe deposit boxes held by customer including safe deposit application, authorized signers, and access logs;
- Other records: all applications, forms, and other written documents completed by the customer; records of certified checks, wire transfers, or collections, letter credit, bonds and securities purchased through your financial institution, savings bond transaction and investment accounts. Such records that disclose the date and amount of the transaction, method (cash or check) and source of payment, instruments and statements of transactions; all correspondence with the above individual(s)/entities and/or with third parties regarding the above individual(s)/entities; all memoranda, notes, files, or records relating to meetings or conversations concerning the above individual(s)/entities;

located at the following premises:

Banner Bank ATTN Legal Department 802 W Riverside Ste 300 Spokane WA 99201 Ph: 509-434-3868

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and bring it promptly before the Court above-named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time) and with the following directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, BANNER BANK IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF ONE (1) YEAR OR UNTIL FURTHER ORDER OF THE COURT.

BANNER BANK SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN UNDER	MY	HAND	and	DATED	this	27th	day	of November,	2022,	at
2:56		р	.m.							

Magistrate Judge

Filed: 02/28/2023 15:11:21

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Block, Inc. (formerly known as Square, Inc.)

Attn: Compliance Department 1455 Market St Suite 600 San Francisco, CA 94103

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal the records related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2 28 2023

Megan E Marshall Magistrate Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Block, Inc. (formerly known as Square, Inc.) Attn: Compliance Department 1455 Market St Suite 600 San Francisco, CA 94103

Case No.

ORDER SEALING SEARCH

WARRANT AND RELATED **DOCUMENTS**

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 14, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 150 day of December, 2022. [1:51 am Magistrate Judge

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

1

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

Block, Inc. (formerly known as Square, Inc.)
Attn: Compliance Department
1455 Market St Suite 600
San Francisco, CA 94103

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

- 1. Interfere with enforcement proceedings;
- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 4th day of December, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the A	pplication	Case No. CR29-
For a Search Warrant	for:)
)
Block, Inc. (formerly	known as Square, Inc.)) RETURN OF
Attn: Compliance De	partment) SEARCH WARRANT
1455 Market St Suite	600)
San Francisco, CA 94	4103)
1. mp. c		
MPD Case No. 22-M	09903)
STATE OF IDAHO)	
	;ss.	
County of Latah)	

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 9:00 o'clock a.m., this 14th day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/14/2022 (Date) REDACTED Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF ID	
County of Lata	h)
•	
I, Lawr	ence Mowery, being duly sworn, do hereby state the following information is true and
correct to the b	est of my knowledge and belief:
(1)	That I am employed by Moscow Police Department in the official position of Forensic
	Detective;
(2)	Affidavit has been a trained and qualified peace office for 12 years;
(3)	On 11/19/22, I obtained a search warrant for Block (Cashapp);
(4)	The warrant was served on 11/19/2022, by email (fax, email, etc);
(5)	On 11/20/22, I received an e-mail from Block (Cashapp) which contained the
	requested information;
(6)	An inventory was prepared for all the items received; and
(7)	The information received was placed into evidence at the Moscow Police Department.
FURTH	IER your Affiant sayeth not.
	Lawrence Mowery
I certify	Affiant (or declare) under penalty of perjury pursuant to the law the State of Idaho that
	s true and correct.
12/14	
<u>12/05/2</u>	1022 A~
(1)ate)	(Signature)

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

IN THE MATTER OF	Case No.
THE APPLICATION FOR A SEARCH WARRANT FOR	\wedge
FOR A SEARCH WARRANT FOR	×)
Block, Inc. (formerly known as Square, Inc.)	RECEIPT AND
1455 Market St Suite 600	INVENTORY OF WARRANT
San Francisco, CA 94103	
On the 19th day of November	, 20 <u>22</u> , at approximately <u>9:52</u> o'clock <u>P</u> .M.
the following peace officers: <u>Detective Lay</u>	wrence Mowery
directed in said Search Warrant. Entrance	d upon the place and/or person(s) described therein as was obtained by:
The person(s) found in said place were:	
The property found and taken and the lo	cation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Records for Ethan Chapin	
Records for Maddie Mogen	
Records for Xana Kernodle	
Records for Kaylee Goncalves	

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
Records for	<u> </u>
Records for	
Records for	
	× 1 .
A	
-	
X	
	\
	4
	
	_'

This Receipt an	d Inventory was mad	de in the pre	sence of:		
A conv hereof v	vas given to the follo	owing name	d nerson(s) on t	he	day of
	, to given to the folia		a porson(s) on t		day 01
					
	vas left on this date i uring said search:	_	_		here being n
DATED this	14th day of	Dece	ember	_, 20 <u>22</u>	
((JER	~ /62 CER	
WITNESS			PEACE OFFI	CER	
The undersigne	d person(s) hereby a	acknowledg	e receiving a co	py hereof on this	day of
		; 20:			
			- 7		

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:	
)	
Block, Inc. (formerly known as Square, Inc.))	ORDER
Attn: Compliance Department)	
1455 Market St Suite 600	
San Francisco, CA 94103	
MPD Case No. 22-M09903	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

ORDER 1

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any

person or laboratories for the purpose of conducting or obtaining any tests, analysis, or

identification of said property which is deemed necessary by the custodial law enforcement agency

or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/15/22 p 11:50 am.

Megan E. Marshall Magistrate Judge

ORDER 2

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for:

Block, Inc. (formerly known as Square, Inc.) Attn: Compliance Department 1455 Market St Suite 600 San Francisco, CA 94103

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime(s) of homicide to include all records and documents (the terms "records" and "documents" mean any and all tangible forms of expression in your possession, custody, or control, in any language or format, and include, but are not limited to, writings, papers, and tape recordings, electronic video and audio recordings (e.g. video surveillance), microform, electromagnetic recordings, optical

recordings, electronic files or records, photographs, drafts, finished versions, originals, and copies, however created, produced, or stored. Video surveillance/images pertaining to account transactions (to include account opening, deposit, withdrawals, etc.) are included with this request. Supporting information can be provided to help identify surveillance video/images for some of the transactions) from September 1, 2022 to present in the name or control of:

- Ethan Chapin,
- Madison May Mogen,
- Xana Alexia Kernodle,
- Kaylee Jade GonCalves,
- •
- •

to include the following:

- All Open and Closed accounts: all records pertaining to the individuals(s) or business
 entities identified in this letter whether held jointly or severally or as trustee or fiduciary
 as well as custodian, executor or guardian, as well as any other entity in which these
 individual(s) or entities may have a financial interest; includes all accounts in which these
 individuals had signatory authority and/or the right of withdrawal; these records should
 include:
 - Signature cards;
 - Statement Data/Monthly Account Statements;
 - Identification of and name assigned on all Debit Cards on account:
 - Deposits and supporting documentation including but not limited to evidence of cash, cancelled deposited checks front and back, transfers from other accounts including full account number and name, and other credit information.
 - Checks and other withdrawals including but not limited to cancelled checks front and back, withdrawals and offsets, evidence of cash withdrawals, transfers from other accounts including account number and name, other debit information;
 - Wire transfers in and out including wire transfer instructions and evidence of requestor if possible;
 - Evidence of cash transactions and identifying information of individuals conducting cash transactions;
 - Identification of sender or recipient bank, full account number, and account name on ACH transfers, online transfers, teller transfers, or other transfers;
- Electronic/Internet records: for those customers who engage in online banking with your financial institution, the following information pertaining to that online banking account:

usernames or other identifying information for the account; e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter; historical access logs for authentication to the account including Internet Protocol (IP) addresses for this account and date, time and duration of each session;

- Certificate of Deposit and Money Market Certificates: including applications, actual
 instrument(s), records of purchases and redemptions, checks issued on redemption,
 checks used to purchase certificates, any correspondence and any Forms 1099 issued,
 records revealing the annual interest paid or accumulated, the dates of payment or date
 interest is earned, and checks issued for interest payments;
- Credit Card records (e.g. MasterCard and Visa): including customer's application, signature card, credit or background investigations conducted, correspondence, monthly billing statements, individual charge invoices, repayment records, disclosing the date, amounts and method of repayment, checks used to make repayments (front and back);
- Purchase of Bank Checks: purchases of bank checks, cashiers, teller, traveler's check
 records, or money order records, including the check register, file copies of the check or
 money orders, records revealing the date and source of payment for said checks or money
 orders;
- Correspondence: all records of correspondence/communication between the customer and the financial institution relating to the above services or for any other purpose, including customer service inquiries or requests for assistance;
- Safe Deposit Boxes: any and all information pertaining to safe deposit boxes held by customer including safe deposit application, authorized signers, and access logs;
- Other records: all applications, forms, and other written documents completed by the customer; records of certified checks, wire transfers, or collections, letter credit, bonds and securities purchased through your financial institution, savings bond transaction and investment accounts. Such records that disclose the date and amount of the transaction, method (cash or check) and source of payment, instruments and statements of transactions; all correspondence with the above individual(s)/entities and/or with third parties regarding the above individual(s)/entities; all memoranda, notes, files, or records relating to meetings or conversations concerning the above individual(s)/entities;

located at the following premises:

Block, Inc. (formerly known as Square, Inc.)
Attn: Compliance Department
1455 Market St. Suite 600
San Francisco, CA 94103

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and bring it promptly before the Court above-named. THIS WARRANT SHALL BE EXECUTED WITHIN _7__ DAYS OF ISSUANCE, AND IS

GIVEN 6:47	UNDER	MY	_	and .m.	DATED	this	19th		day o	of November,	2022,	at
								gan (rshall_	_	

AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time).

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Case No.

ORDER FOR EXTENSION TO RETURN SEARCH WARRANT

Block, Inc. (formerly known as Square, Inc.)
Attn: Compliance Department

Attn: Compliance Department 1455 Market St Suite 600 San Francisco, CA 94103

MPD Case No. 22-M09903

The above matter having come before the Court based upon the motion of the State, and good cause appearing:

IT IS HEREBY ORDERED that the time for which the above referenced search warrant shall be returned is extended to March 3, 2023.

SO ORDERED this 12/22 @ 3:42 pm

Magistrate Judge

CERTIFICATE OF DELIVERY

	ne and correct copies of the ORDER FOR WARRANT were served on the following in the
William W. Thompson, Jr. Latah County Prosecuting Attorney Latah County Courthouse Moscow, ID 83843	☐ Mailed ☐ E-filed & Served / E-mailed ☐ Faxed ☑ Hand Delivered
Dated 12 5 20	
	TONYA DODGE Latah County Clerk of the Court By: Douby Clerk

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

Block, Inc. (formerly known as Square, Inc.)
Attn: Compliance Department
1455 Market St Suite 600

San Francisco, CA 94103

MPD Case No. 22-M09903

The State of Idaho by and through Ashley S. Jennings, Latah County Sr. Deputy Prosecuting Attorney, moves this Court for an order extending the time for returning the above referenced search warrant which was issued on the 19th day of November, 2022 The search warrant was directed by the Court to be served within fourteen (14) days of issuance during business hours. The warrant was served by Detective Lawrence Mowery on the 19th day of November, 2022, by email. However, as of this date, the information has not been received.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

Although the warrant was executed within the fourteen (14) day timeframe directed by I.C. 19-4412, the State is not able to comply with the timeframe within which to return the warrant and provide a written inventory. Accordingly, the State requests an extension of time for the return of the search warrant.

RESPECTFULLY SUBMITTED this Md day of December, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

Filed: 02/28/2023 08:54:45 Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Blue Ridge Knives Inc Attn Legal Department 314 Lee Hwy Marion VA 24354

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A), the court finds it necessary to seal in part and redact the record related to the search warrant because the documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person. After due consideration and with good cause,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2 27 2023

Megan E. Marshal Magistrate Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Blue Ridge Knives Inc Attn Legal Department 314 Lee Hwy Marion VA 24354 Case No.

ORDER SEALING SEARCH

WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 22, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/23/22 p 2:44 py

Magistrate Judge

CASE NO. ______DEPIN

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

Blue Ridge Knives Inc Attn Legal Department 314 Lee Hwy Marion VA 24354 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this day of December, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

for a Search Warrant for:	
Blue Ridge Knives Inc.	
ATTN Legal Department) (ORDER
314 Lee Hwy	
Marion, VA 24354)	
)	
MPD Case No. 22-M09903	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

ORDER 1

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any

person or laboratories for the purpose of conducting or obtaining any tests, analysis, or

identification of said property which is deemed necessary by the custodial law enforcement agency

or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/23/220 2:46 pm

Megan E. Marshall Magistrate Judge

ORDER 2

LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the A	pplication) Case No. CR29-	
for a Search Warrant	for:)	
Blue Ridge Knives In)	
ATTN Legal Departm) RETURN OF SEARCH	WARRANT
314 Lee Hwy)	***************************************
Marion, VA 24354		Ś	
MPD Case No. 22-M	09903)	
STATE OF IDAHO)		
	:ss.		
County of Latah)		

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 12:00 o'clock p.m., this 22nd day of ecember, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

<u>12/22/2022</u> (Date)

Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF II	DAHO)
County of Lat	ah)
I, Law	rence Mowery, being duly sworn, do hereby state the following information is true and
correct to the	pest of my knowledge and belief:
(1)	That I am employed by Moscow Police Department in the official position of Forensic
	Detective;
(2)	Affidavit has been a trained and qualified peace office for Twelve (12) years;
(3)	On December 12, 2022, I obtained a search warrant for Blue Ridge Knives;
(4)	The warrant was served on December 13, 2022, by email (fax, email, etc);
(5)	On 12/16/22, I received an e-mail from Blue Ridge Knives which contained the
	requested information;
(6)	An inventory was prepared for all the items received; and
(7)	The information received was placed into evidence at the Moscow Police Department.
FURT	HER your Affiant sayeth not.
	Lawrence Mowery Affiant
I certi	fy (or declare) under penalty of perjury pursuant to the law the State of Idaho that
the foregoing	is true and correct.
<u>12/22/</u> (Date)	(Signature)

IN THE MATTER OF THE APPLICATION FOR A SEARCH WARRANT FOR	Case No.
	DECEME AND
Blue Ridge Knives Inc.	RECEIPT AND INVENTORY OF WARRANT
314 Lee Hwy	
Marion, VA 24354	
On the 13th day of December	, 2022, at approximately 7:54 o'clock A.M.,
the following peace officers: Detective Law	rence Mowery
directed in said Search Warrant. Entrance w	upon the place and/or person(s) described therein as as obtained by:
The person(s) found in said place were:	
The property found and taken and the local as follows:	ation within or upon said place and/or person(s) are
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Ka-Bar KA1217S	
USMC Fighting Knife Sheath	
Known purchases and quantities of Blue Ridge Knives from Ka-Bar	

This Receipt and Inventory v	was made in the presence of:	
A copy hereof was given to t	the following named person(s) on the	day of
	, 20;	
A copy hereof was left on thi	s date in a conspicuous place in the place sea	rched there being no
	arch:	
person(s) present during said sea	arcn:	
DATED this 22 day	of December . 2022 .	
	of	16~
WITNESS	PEACE OFFICER	
The undersigned person(s) h	ereby acknowledge receiving a copy hereof	on this day of
	, 20:	<u>. </u>
	And the second s	

In the Matter of the Application for a Search Warrant for:

Blue Ridge Knives Inc ATTN Legal Department 314 Lee Hwy Marion VA 24354

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises consists of records and documents related to the investigation of the homicides committed on November 13, 2022 at 1122 King Road in Moscow, Idaho, that are in the possession or control of Blue Ridge Knives Inc. related to the sales of the following items for the period of January 1, 2022 to present:

- Ka-Bar KA1217S, USMC Fighting Knife Sheath;
- Known purchases and quantities of Blue Ridge Knives from Ka-Bar include:

- o On or about 03/08/2022 the purchase of 360 units
- On or about 06/24/2022 the purchase of 480 units

Sales information should include description of items purchased, names and addresses to which the purchased items were sold to or mailed to, payment method/payment history, correspondence to and from purchaser, as well as any and all other records Blue Ridge Knives Inc retains regarding these sales.

Located in or upon the following described premises:

Blue Ridge Knives Inc ATTN Legal Department 314 Lee Hwy Marion VA 24354 Ph: 276-783-6143

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and bring it promptly before the Court above-named. THIS WARRANT SHALL BE EXECUTED WITHIN _7___ DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time), and UNDER THE FOLLOWING SPECIAL DIRECTIONS:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, BLUE RIDGE KNIVES INC. IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF ONE (1) YEAR OR UNTIL FURTHER ORDER OF THE COURT.

BLUE RIDGE KNIVES INC. SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY	HAND	and	DATED	this	12th	_ day	of	December,	2022,	at
3:13		_	<u> </u>	.m.								
							Megan	m	ar	shall		
							Magistrate Ju		1			

Filed: 02/28/2023 15:15:48 Second Judicial District, Latah County Julie Fry, Clerk of the Court By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Charter Communications Inc., 12405 Powerscourt Dr. St. Louis, MO 63131

Latah County, Idaho MPDCase No. 22-M09903 Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, the court finds it necessary to seal in part and redact the record related to the search warrant because the documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person. I.C.A.R. 32(i)(2)(A). After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2/28/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Charter Communications Inc., 12405 Powerscourt Dr. St. Louis, MO 63131 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until February 28, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 1 day of November, 2022. 6 1:28 pm

MAGISTERIE JUDGE

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Charter Communications Inc., 12405 Powerscourt Dr. St. Louis, MO 63131 Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPDCase No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

- 1. Interfere with enforcement proceedings;
- 2. Constitute an unwarranted invasion of personal privacy,

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this day of November, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
ISB No.8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
Charter Communications, Inc.)	ORDER
12405 Powerscourt Dr.)	
St. Louis, MO 63131)	
)	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

1

ORDER

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/1/22 0 1:28 py

Megan E. Marshall Magistrate Judge

ORDER 2

LATAH COUNTY PROSECUTOR'S OFFICE

Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application) Case No. CR29-
for a Search Warrant for:	
Charter Communications, Inc) RETURN OF SEARCH WARRANT
12405 Powerscourt Dr.)
St. Louis, MO 63131)
MPD Case No. 22-M09903	<u>)</u>
STATE OF IDAHO)	
:ss.	
County of Latah)	

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 9:00 o'clock a.m., this 30th day of November, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE	E OF II	OAAO)							
Country	of Tat	ah.	:ss.							
County	oi Lai	an)							
	I, Law	rence M	Iowery, be	ing duly s	sworn, do h	ereby sta	ate the foll	owing info	ormation is tr	ue and
correct	to the	best of r	ny knowle	edge and b	elief:					
	(1)	That I	am emplo	yed by Mo	oscow Polic	ce Depar	tment in th	ne official j	position of Fo	orensic
		Detect	tive;							
	(2)	Affida	vit has be	en a traine	ed and quali	ified pea	ace office f	for Twelve	e (12) years;	
	(3)	On No	ovember 2	1, 2022, I	obtained a s	search w	arrant for (Charter Co	mmunication	ns, Inc
	(4)	The w	arrant was	s served or	n Novembe	er 21, 20	22, by ema	ail (fax, en	nail, etc);	
	(5)	On 11	1/22/22, I	received	an e-mail	from	Charter C	ommunic	ations, Inc.	which
		contai	ned the rea	quested in	formation;					
	(6)	An inv	ventory wa	as prepare	d for all the	e items r	eceived; a	nd		
	(7)	The in	formation	received	was placed	into evic	lence at the	e Moscow	Police Depar	rtment.
	FURT	HER yo	our Affian	t sayeth ne	ot.					
							Lawrence	e Mowery		
							Affiant		2711	
	I certi	fy (or d	eclare) un	der penal	ty of perjur	ry pursu	ant to the	law the St	ate of Idaho	that
the for	egoing	is true	and correc	et.						
	. /	_ /	_				1.	2	/L >	
		<u> 30/2</u>	<u> 2</u>				Signatu		/6 Z	=
	(Date))					Moisingin			

IN THE MATTER OF THE APPLICATION	Case No.
FOR A SEARCH WARRANT FOR	
Charter Communications, Inc.	RECEIPT AND
12405 Powerscourt Dr	INVENTORY OF WARRANT
St. Louis, MO 63131	
On the 21 day of November	, 20 <u>22</u> , at approximately <u>8:39</u> o'clock <u>p</u> .M.
	wrence Mowery
<u> </u>	
The person(s) found in said place were:	
The property found and taken and the local as follows:	cation within or upon said place and/or person(s) are
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Router	

RECEIPT AND INVENTORY

PAGE 1 OF 2 PAGES

This Receipt and Inventor	y was made i	n the presence of	of:	
A copy hereof was given	to the followi	ng named perso	on(s) on the	day of

A copy hereof was left on person(s) present during said DATED this d	search: _	November	_	
WITNESS		PEA	CE OFFICER	
The undersigned person(s	s) hereby ack	_	ving a copy hereof o	n this day of
		20		
			7	

In the Matter of the Application for a Search Warrant for:

Charter Communications, Inc Legal Response Operations Center 12405 Powerscourt Dr. St.Louis, MO 63131

SEARCH WARRANT

Case No.

MPD Case No. 22-M09903

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises consists of information related to a crime(s) of homicide committed at 1122 King Road in Moscow, Idaho, for all data associated with the Spectrum Wireless Router with Serial Number and MAC and Serial Number between September 14, 2022 through November 14, 2022 located in or upon the following described premises:

1

REDACTED

Charter Communications, Inc Legal Response Operations Center 12405 Powerscourt Dr. St.Louis, MO 63131 314-394-9702

YOU ARE THEREFORE CO	MMANDED TO SEARCH the above-described premises for the
property described above, TO S	EIZE it if found and bring it promptly before the Court above-named.
	E EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS
	ME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime"
	a.m. and 10:00 p.m. local time).
GIVEN UNDER MY HAND	and DATED this 21st day of November, 2022, at
6:00 p	m.
	Magan Marshall
	<u> Megan (Marshall</u> Magistrate Judge

Filed: 02/28/2023 08:57:11 Second Judicial District, Latah County Julie Fry, Clerk of the Court By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Discover Bank/Discover Financial Attn: Customer Records 2500 Lake Cook Rd Riverwoods IL 60015

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2 27 2023

Megan E. Marshal Magistrate Judge

In the Matter of the Application for a Search Warrant for

Discover Bank/Discover Financial Attn: Customer Records 2500 Lake Cook Rd Riverwoods IL 60015 Email: Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 14, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 15th day of December, 2022. @ 12:03 pu

Magistrate Julige

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

1

REDACTED

CLRK OF DIST CT. LATAH

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

paservice@latah.id.us

Discover Bank/Discover Financial Attn: Customer Records 2500 Lake Cook Rd Riverwoods IL 60015 Email:

Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS



- 1. Interfere with enforcement proceedings;
- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this day of December, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the A)	Case No. CR29-	
for a Search Warrant i	for:)		
Discover Bank/Discov	ver Financial)	RETURN OF SEAR	CH WARRANT
2500 Lake Cook Rd	Of I manioral	í	REPORT OF PER	CII WINGCHAI
Riverwoods, IL 60015		į		
MPD Case No. 22-MO	09903))		
STATE OF IDAHO)			
	:ss.			
County of Latah)			

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 9:00 o'clock a.m., this 14th day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/14/2022 (Date)

Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF I	DAHO)		
County of La	tah	:ss.		
I, Lav	vrence M	lowery, being duly sworn, do l	nereby state the following information is true and	
correct to the	best of n	ny knowledge and belief:		
(1)	That I a	am employed by Moscow Poli	ce Department in the official position of Forensic	
	Detecti	ive;		
(2)	Affidavit has been a trained and qualified peace office for Twelve (12) years;			
(3)	On November 28, 2022, I obtained a search warrant for Discover;			
(4)	The wa	arrant was served on Novembe	er 28, 2022, by email (fax, email, etc);	
(5)	(5) On 12/09/22, I received an e-mail from Discover which contained the requested			
	inform	ation;		
(6)	An inv	entory was prepared for all the	e items received; and	
(7)	The information received was placed into evidence at the Moscow Police Department.			
FURT	THER yo	ur Affiant sayeth not.		
			Lawrence Mowery	
I certi	fv (or de	clare) under penalty of perius	Affiant y pursuant to the law the State of Idaho that	
the foregoing				
12/14	/2022		JEan 162	
(Date			(Signature)	

IN THE MATTER OF THE APPLICATION FOR A SEARCH WARRANT FOR	Case No.		
Discover Bank/Discover Financial	RECEIPT AND		
2500 Lake Cook Rd	INVENTORY OF WARRANT		
Riverwoods IL 60015			
On the 28 day of November	, 20 <u>22</u> , at approximately <u>12:07</u> o'clock <u>P</u> .M.,		
the following peace officers: Detective Law	rence Mowery		
<u> </u>			
The person(s) found in said place were:			
The property found and taken and the loc	ation within or upon said place and/or person(s) are		
as follows:	ation within or apon said place and/or person(s) are		
DESCRIPTION OF PROPERTY	LOCATION/PERSON		
Financial Records for Ethan Chapin			
Financial Records for Maddie Mogen			
Financial Records for Xana Kernodle			
Financial Records for Kaylee Goncalves			

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial Records for	<u>/</u>
Financial Records for	
Financial Records for	
	A
	X
<u> </u>	
1	
Y	
	-7
	-

This Receipt and Inventory	was made	in the presei	nce of:		
A copy hereof was given to	the follow	ing named n	person(s) on	the	day of
1,			(5)		
A copy hereof was left on t	his date in a	a conspicuou	ıs place in th	ne place searched,	there being no
person(s) present during said	search:				
DATED this 14 da	y of	Deceml	ber	, 20 <u>22</u>	
			for	- 162	
WITNESS	1	<u>P</u>	EACE OFF	TICER	
The undersigned person(s)) hereby acl	knowledge re	eceiving a c	opy hereof on this	day of
		, 20:			
-		<u> </u>			
			\		

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Discover Bank/Discover Financial)	ORDER
2500 Lake Cook Rd)	
Riverwoods, IL 60015)	
)	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/15/22 0 12:03 pm

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for:

Discover Bank/Discover Financial Attn: Customer Records 2500 Lake Cook Rd Riverwoods IL 60015 Email:

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime(s) of homicide to include all records and documents (the terms "records" and "documents" mean any and all tangible forms of expression in your possession, custody, or control, in any language or

format, and include, but are not limited to, writings, papers, and tape recordings, electronic video and audio recordings (e.g. video surveillance), microform, electromagnetic recordings, optical recordings, electronic files or records, photographs, drafts, finished versions, originals, and copies, however created, produced, or stored. Video surveillance/images pertaining to account transactions (to include account opening, deposit, withdrawals, etc.) are included with this request. Supporting information can be provided to help identify surveillance video/images for some of the transactions) from September 1, 2022 to present in the name or control of:

- Ethan Chapin,
- Madison May Mogen,
- Xana Alexia Kernodle,
- Kaylee Jade GonCalves,
- •
- _
- •
- _

to include the following:

- All Open and Closed accounts: all records pertaining to the individuals(s) or business
 entities identified in this letter whether held jointly or severally or as trustee or fiduciary
 as well as custodian, executor or guardian, as well as any other entity in which these
 individual(s) or entities may have a financial interest; includes all accounts in which these
 individuals had signatory authority and/or the right of withdrawal; these records should
 include:
 - Signature cards;
 - Statement Data/Monthly Account Statements;
 - Identification of and name assigned on all Debit Cards on account;
 - Deposits and supporting documentation including but not limited to evidence of cash, cancelled deposited checks front and back, transfers from other accounts including full account number and name, and other credit information.
 - Checks and other withdrawals including but not limited to cancelled checks front and back, withdrawals and offsets, evidence of cash withdrawals, transfers from other accounts including account number and name, other debit information;
 - Wire transfers in and out including wire transfer instructions and evidence of requestor if possible;

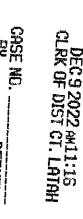
- Evidence of cash transactions and identifying information of individuals conducting cash transactions;
- Identification of sender or recipient bank, full account number, and account name on ACH transfers, online transfers, teller transfers, or other transfers;
- Electronic/Internet records: for those customers who engage in online banking with your financial institution, the following information pertaining to that online banking account: usernames or other identifying information for the account; e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter; historical access logs for authentication to the account including Internet Protocol (IP) addresses for this account and date, time and duration of each session;
- Certificate of Deposit and Money Market Certificates: including applications, actual
 instrument(s), records of purchases and redemptions, checks issued on redemption,
 checks used to purchase certificates, any correspondence and any Forms 1099 issued,
 records revealing the annual interest paid or accumulated, the dates of payment or date
 interest is earned, and checks issued for interest payments;
- Credit Card records (e.g. MasterCard and Visa): including customer's application, signature card, credit or background investigations conducted, correspondence, monthly billing statements, individual charge invoices, repayment records, disclosing the date, amounts and method of repayment, checks used to make repayments (front and back);
- Purchase of Bank Checks: purchases of bank checks, cashiers, teller, traveler's check
 records, or money order records, including the check register, file copies of the check or
 money orders, records revealing the date and source of payment for said checks or money
 orders;
- Correspondence: all records of correspondence/communication between the customer and the financial institution relating to the above services or for any other purpose, including customer service inquiries or requests for assistance;
- Safe Deposit Boxes: any and all information pertaining to safe deposit boxes held by customer including safe deposit application, authorized signers, and access logs;
- Other records: all applications, forms, and other written documents completed by the customer; records of certified checks, wire transfers, or collections, letter credit, bonds and securities purchased through your financial institution, savings bond transaction and investment accounts. Such records that disclose the date and amount of the transaction, method (cash or check) and source of payment, instruments and statements of transactions; all correspondence with the above individual(s)/entities and/or with third parties regarding the above individual(s)/entities; all memoranda, notes, files, or records relating to meetings or conversations concerning the above individual(s)/entities;

located at the following premises:

Discover Bank/Discover Financial Attn: Customer Records

Riverwoods IL 60015 Ph: 224-405-2348 Email: YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and bring it promptly before the Court above-named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time) and with the following directions: **THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, DISCOVER IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF ONE (1) YEAR OR UNTIL FURTHER ORDER OF THE COURT. DISCOVER SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.** GIVEN UNDER MY HAND and DATED this 28th day of November, 2022, at

2500 Lake Cook Rd



In the Matter of the Application for a Search Warrant for

Case No.

ORDER FOR EXTENSION TO RETURN SEARCH WARRANT

Discover Bank/Discover Financial Attn: Customer Records 2500 Lake Cook Rd Riverwoods IL 60015 Email:

MPDCase No. 22-M09903

The above matter having come before the Court based upon the motion of the State, and good cause appearing:

IT IS HEREBY ORDERED that the time for which the above referenced search warrant shall be returned is extended to March 8, 2023.

Magistrate Judge

REDACTED

CERTIFICATE OF DELIVERY

	e and correct copies of the ORDER FOR VARRANT were served on the following in the
William W. Thompson, Jr. Latah County Prosecuting Attorney Latah County Courthouse Moscow, ID 83843	☐ Mailed ☐ E-filed & Served / E-mailed ☐ Faxed ☐ Hand Delivered
Dated <u>12/9/22</u>	
	TONYA DODGE Latah County Clerk of the Court By: Deputy Clerk

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Discover Bank/Discover Financial Attn: Customer Records 2500 Lake Cook Rd Riverwoods IL 60015 Email:

MPDCase No. 22-M09903

Case No.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

The State of Idaho by and through Ashley S. Jennings, Latah County Sr. Deputy Prosecuting Attorney, moves this Court for an order extending the time for returning the above referenced search warrant which was issued on November 27, 2022. The search warrant was directed by the Court to be served within fourteen (14) days of issuance during business hours. The warrant was served by Detective Lawrence Mowery on November 28, 2022, by email. However, as of this date, the information has not been received.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

1



Although the warrant was executed within the fourteen (14) day timeframe directed by I.C. 19-4412, the State is not able to comply with the timeframe within which to return the warrant and provide a written inventory. Accordingly, the State requests an extension of time for the return of the search warrant.

RESPECTFULLY SUBMITTED this 8th day of December, 2022.

ASHLEY S. JEN

Sr. Deputy Prosecuting Attorney

Filed: 02/28/2023 15:17:25 Second Judicial District, Latah County Julie Fry, Clerk of the Court By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Dropbox Legal Compliance, 1800 Owens St, Ste. 200 San Francisco, CA 94158

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (E) and I.C. §74-124(1)(b), the court finds it necessary to seal in part and redact the record related the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) It is necessary to preserve the right to a fair trial.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2/28/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Dropbox Legal Compliance, 1800 Owens St, Ste. 200 San Francisco, CA 94158 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and throughout the entirety of case CR29-22-2805 or further order of the Court, whichever occurs first.

SO ORDERED this 30d day of February, 2023. C 4:21 PM

Magistrate Judge

ORDER SEALING SEARCH
WARRANT AND RELATED DOCUMENTS

SERVICE DIST OF LAWS

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Dropbox Legal Compliance, 1800 Owens St, Ste. 200 San Francisco, CA 94158

MPD Case No. 22-M09903

Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Deprive a person of a right to a fair trial or an impartial adjudication;
- 3. Constitute an unwarranted invasion of personal privacy,
- 4. Disclose the identity of a confidential source; and/or
- 5. Disclose investigative techniques and procedures.

And the State seeks this protection throughout the entirety of case CR29-22-2805.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 2rd day of February, 2023.

ASHLEY S. JEDNINGS ()
Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
ISB No.8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

)	Case No.
)	
)	
)	
)	ORDER
)	
)	
)))))

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 2/3/2023 C 4:21 PM.

Megan E. Marshall Magistrate Judge LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application) Case No. CR29-
for a Search Warrant for:)
Dropbox Legal Compliance) RETURN OF SEARCH WARRANT
1800 Owens St, Ste. 200)
San Francisco, CA 94158)
MPD Case No. 22-M09903	
STATE OF IDAHO)	
:SS.	
County of Latah)	

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 4:00 o'clock p.m., this 2 day of February, 2023.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

2/2/2023 (Date)

Peace Officer

AFFIDAVIT OF DET. LAWRENCE MOWERY

STATE OF IDAHO)
	:SS
County of Latah)

I, Lawrence Mowery, being duly sworn, do hereby state the following information is true and correct to the best of my knowledge and belief:

- (1) That I am employed by the Moscow Police Department in the official position of Detective;
- (2) Affidavit has been a trained and qualified peace office for 12 years;
- (3) I currently work the day shift, 7:00 a.m. to 5:00 p.m.;
- (4) On January 25, 2023, I obtained a search warrant for Dropbox;
- (5) The warrant was served on January 30, 2023, via Dropbox Law Enforcement Portal;
- (6) On February 2, 2023, I received an email directing me to a secure download for the requested data;
- (7) I downloaded the data and an inventory was prepared for all the items received;
- (8) A copy of the inventory receipt was emailed to

; and

(9) The information received was placed into evidence at Moscow Police Department.

FURTHER your Affiant sayeth not.

<u>Detective Lawrence Mowery - 162</u> Affiant

I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

February 2, 2023 (Date)

(2) Signature

IN THE MATTER OF THE APPLICATION	Case No.
FOR A SEARCH WARRANT FOR	\times)
Dropbox Legal Compliance	RECEIPT AND
1800 Owens St, Ste. 200	INVENTORY OF WARRANT
San Francisco, CA 94158	
On the 30 day of January	20.22 ot ammovimataly 12:02 a cleak m M
	, 20 <u>23</u> , at approximately <u>12:03</u> o'clock <u>p</u> .M.,
the following peace officers: Det Lawrence	Mowery
7.	
and the County Warment have County and	upon the place and/or person(s) described therein as
directed in said Search Warrant. Entrance w	as obtained by: https://dropbox-legal.force.com/
	,
The person(s) found in said place were:	
The property found and taken and the loc	ation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
IMEI	

RECEIPT AND INVENTORY

PAGE 2 OF 3 PAGES

This Receipt and Invento	ory was made in the presence of:	
A copy hereof was given	to the following named person(s) on the	day of
person(s) present during said	n this date in a conspicuous place in the place searched search: day of, 2023	
WITNESS	Det Lawrence Mowery PEACE OFFICER	3—
	(s) hereby acknowledge receiving a copy hereof on the copy, 20:	nis day of

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Dropbox Legal Compliance,)	SEARCH WARRANT
1800 Owens St, Ste. 200)	
San Francisco, CA 94158)	
)	
MPD Case No. 22-M009903		
		

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe property consists of information related to the investigation of the homicide(s) of Madison Mogen,

Kaylee Goncalves, Xana Kernodle, and/or Ethan Chapin at 1122 King Road, Moscow, Idaho on the Dropbox account of with any of the following IDENTIFIERS: Email address(es) and/or and/or

and/or phone number

and/or IMEI

including:

Subscriber information for the above-described account, including, but not limited to, username, account identification number, first name, last name, aliases or monikers, email address(es), phone number(s), physical and postal address, gender, date of birth or age, hometown, zip code, country, and/or general geographic area, other demographic information, user supplied profile or biographic information such as work and/or education histories, and profile picture(s), symbols or graphics provided

SEARCH WARRANT

1

- by the subscriber to establish or maintain an account or communication channel;
- All device(s) used and otherwise associated with the subscriber's account MEID, IMEI, IMSI, MAC, IFV, AI, UDID, Android Device ID, GSF, including numbers and activation dates;
- Records of all content transmitted to, from and/or stored on the account, including:
 - Communications, including addressing and transmission data, contents, and attached files:
 - Any photographs, videos, documents, or other data files uploaded to or from Dropbox including metadata;
 - Any photographs, videos, documents, or other data files shared with other Dropbox users, including the account information and email address(es) associated with the Dropbox account the photographs, videos, documents, or data filed shared with;
 - o Published files and data, such as webpages and any component content;
 - All records and data relating to web browsing or searching, including browser type, operating systems, search terms used to find or access websites or content, website browsing history, and the dates, times and duration of such searching or browsing;
 - Contact lists, including all names, emails and contact information for all personal contained in the list;
 - o Files and data tending to show who has possession dominion and control over the account:
 - All records pertaining to communications between Dropbox and any person regarding the user of the user's Dropbox account, including contacts with support services and records of actions taken;
- All stored financial information associated with the above account, including purchases made within the application/social media company, dates and times of all transactions, amounts and items purchases, credit or debit card numbers, issuing financial institution information, account holder information, billing address(es), and shipping address(es), if applicable;
- All other devices, computers, laptop computers, tablets, mobile devices, cellular phones, and wearable computers or accessories used to access the above account;
- IP logs and records of the IP addresses that logged into the account;
- Length of service to the account, including type(s) of service used, records of the date, amount, source and method of any payments to maintain the account including, any credit card or bank account number(s);
- Additional Dropbox accounts that were registered to the email address and/or phone number(s) utilized to establish the account;
- All other location data collected whether derived from internet service provider information (ISP), operating system (OS) software, HTTP cookie and tracking cookie information, Global Positioning System (GPS) data, ad Wi-Fi location (Geo-tagging);

located in or upon the following described premises:

Dropbox, Inc.
Dropbox Legal Compliance
1800 Owens Street, Ste. 200
San Francisco, CA 94158

Dropbox, Inc. should disclose responsive data by sending it to the below address or

via email to the address below:

Detective Lawrence Mowery Moscow Police Department 118 East 4th Street Moscow, ID 83843 208-883-7062

Fax: 208-882-4020

Email:

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and to bring it promptly before the Court above named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time), AND UNDER THE FOLLOWING SPECIAL DIRECTIONS:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, DROPBOX IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

DROPBOX SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY	HAND	and	DATED	this	25th	day	of	January,	2023,	at
10:20			<u>a</u>	m.								
										\ \ \ .		

Megan E. Marshall Magistrate Judge

Filed: 02/28/2023 15:20:49
Second Judicial District, Latah County
Julie Fry, Clerk of the Court
By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

eBay Inc., ATTN Legal Department

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D) and I.C. §74-124(1)(c), the court finds it necessary to seal the records related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person;
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals; and
- (3) Disclosure would constitute an unwarranted invasion of personal privacy.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2/28/2023

Megan E. Marshal Magistrate Judge

In the Matter of the Application for a Search Warrant for

eBay Inc., Attn: Legal Department

Email:

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until February 28, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this _ day of November, 2022. Q 1:25 pt

MADISTRATE WOLF

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

1

REDACTED

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

eBay Inc.,

Attn: Legal Department

Email:

Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

- 1. Interfere with enforcement proceedings;
- 2. Constitute an unwarranted invasion of personal privacy,

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

REDACTED

- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 2022 day of November, 2022.

ASHLEY S. JEN

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
eBay Inc.,)	ORDER
Attn: Legal Department)	
Email:)	
)	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

REDACTED

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/1/22 p 1:25 pM

Megan E. Marshall Magistrate Judge

ORDER 2

LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246

ISB No. 8491

paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the	* *)	Case No. CR29-		
for a Search Warran	t for:)			
eBay Inc.,)	RETURN OF SEARCH WARRA		
Attn: Legal Departm	ent)			
Email:)			
MPD Case No. 22-N	109903				
STATE OF IDAHO)				
	:ss.				
County of Latah)				

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 9:00 o'clock a.m., this 30th day of November, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

 $\frac{11}{\text{(Date)}}$ $\frac{11}{\text{2}}$

Peace Officer

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF IDAHO)
	:SS
County of Latah)

I, Lawrence Mowery, being duly sworn, do hereby state the following information is true and correct to the best of my knowledge and belief:

- (1) That I am employed by Moscow Police Department in the official position of Forensic Detective;
- (2) Affidavit has been a trained and qualified peace office for Twelve (12) years;
- (3) On November 28, 2022, I obtained a search warrant for eBay;
- (4) The warrant was served on November 28, 2022, by email (fax, email, etc);
- (5) On 11/29/22, I received an e-mail from eBay which contained the requested information;
- (6) An inventory was prepared for all the items received; and
- (7) The information received was placed into evidence at the Moscow Police Department. FURTHER your Affiant sayeth not.

Lawrence Mowery
Affiant

I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

11/30/22 (Date)

signature)

IN THE MATTER OF	Case No.
THE APPLICATION	\rightarrow
FOR A SEARCH WARRANT FOR	>< }
eBay Inc.,	RECEIPT AND
Attn: Legal Department	INVENTORY OF WARRANT
Email:	
On the 28 day of November	, 20 <u>22</u> , at approximately <u>3:58</u> o'clock <u>p</u> .M.,
the following peace officers: Detective Lav	wrence Mowery
served the Search Warrant heretofore issue	d upon the place and/or person(s) described therein as
	was obtained by:
	·
	· · · · · · · · · · · · · · · · · · ·
The person(s) found in said place were:	
The person(s) round in said place were.	~ _
The property found and taken and the lo	ocation within or upon said place and/or person(s) are
as follows:	oution within or apon out prison and or posson(e) are
	I OCATIONI MED GONI
DESCRIPTION OF PROPERTY	LOCATION/PERSON
	_

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON					
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/ y						
444 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4						

This Receipt and Inventory was made in the presence of:
A copy hereof was given to the following named person(s) on the day of
A copy hereof was left on this date in a conspicuous place in the place searched, there being person(s) present during said search:
DATED this 30 day of November, 2022.
WITNESS PEACE OFFICER
The undersigned person(s) hereby acknowledge receiving a copy hereof on this day

In the Matter of the Application for a Search Warrant for:

eBay Inc ATTN Legal Department Ph: 801-545-1385

Email:

Submit via https://le.corp.ebay.com

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises consists of information for the crime(s) of homicide in the possession or control of EBAY related to the sales made to the following users from January 1, 2022 to present, for the following items:

- 1. Ka-Bar KA1217S, USMC Fighting Knife Sheath
- 2. Ka-Bar Full Size USMC Straight Edge Knife



for information regarding the following eBay UserIDs:

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US	AZ	2
บร	ID	1
US	PA	1
US	WA	1
US	ОН	1
US	WI	1
US	NY	1
JP	Saitamaken	1
US	<u></u> TX	1
US	ОН	1
us	WA	1
US	AZ	1

The records and documents shall include but are not limited to:

- Account information for the above-named eBay UserIDs subscriber information to include: contact information, billing information, account opening date, account closing date, and any other information retained in connection with the identified accounts;
- Order details and purchase history for all transactions conducted by the abovenamed eBay UserIDs or any eBay affiliated storefront/webstore, including IP address information for purchases made, shipping addresses, and issuing bank card used;
- Payment information for payments made (or facilitated by) eBay to or from the abovenamed UserIDs including payments through eBay or eBay supported platforms;
- All customer interaction records between eBay and the above-named individuals/entities and their representatives to include call notes, call recordings, emails and/or written correspondence;

located in or upon the following described premises,

eBay Inc ATTN Legal Department Ph: 801-545-1385

Email:

Submit via https://le.corp.ebay.com

INSTRUCTIONS FOR PRODUCTION OF ELECTRONICALLY (DIGITALLY) STORED RECORDS

Electronic Records

Electronically stored records shall be produced in electronic form and shall include those records held (1) in your record retention systems; and/or (2) by your technology, data, or other service provider(s).

Text Data

Text data relating to transactions (e.g., core data, history file) shall be produced within a data file: (1) using delimited ASCII text data format; or (2) within software that can export without loss of data to a non-proprietary file format; or (3) using commonly readable file format set by agreement.

Text data files relating to transactions produced according to the above shall include field descriptions (e.g., account number, date/time, description, payee/payor, check number, item identifier, and amount).

Image Data

Image data shall be produced in graphic data files in a non-proprietary or commonly readable format with the highest image quality maintained. Image data of items associated with specific transactions (e.g., checks, deposits) shall be: (1) Produced in individual graphic data files with any associated endorsements; and (2) linked to corresponding text data by a unique identifier.

Encryption/Authentication

Electronically stored records may be transmitted in an encrypted container. Decryption keys shall be produced separately at the time the data are produced. Authentication, such as hash coding, may be set by agreement.

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and bring it promptly before the Court above-named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time), and UNDER THE FOLLOWING SPECIAL DIRECTIONS:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, EBAY IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF ONE (1) YEAR OR UNTIL FURTHER ORDER OF THE COURT.

EBAY SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

	UNDER	MY	HAND	and	DATED	this	28th		day	of	November,	2022,	at
4:26			_ <u> </u>	.m.			W	O MA	M	h	Hall		
							Magistra	te Judg	ge	Ť	7		

Filed: 02/28/2023 15:19:25 Second Judicial District, Latah County Julie Fry, Clerk of the Court By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

eBay Inc., ATTN Legal Department

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (E) and I.C. §74-124(1)(b), the court finds it necessary to seal in part and redact the record related the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) It is necessary to preserve the right to a fair trial.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2/28/2073

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

eBay Inc., ATTN Legal Department Ph: 801-545-1385 Email:

Submit via https://le.corp.ebay.com

Latah County, Idaho MPD Case No. 22-M09903 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until February 27, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 29th day of November, 2022.

Magan Marshall
Magistrate Judge

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

1

REDACTED

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

paservice@latah.id.us

eBay Inc.,
ATTN Legal Department
Ph: 801-545-1385
Email:
Submit via https://le.corp.ebay.com

Latah County, Idaho MPD Case No. 22-M09903 Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS



- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 28th day of November, 2022.

ASHLEY S. JENNINGS
Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

for a Search Warrant for:) Case No. CR29-
eBay Inc., ATTN Legal Department)) RETURN OF SEARCH WARRANT
Ph: 801-545-1385) RETURN OF SEARCH WARRANT
Email:)
Submit via https://le.corp.ebay.com)
MPD Case No. 22-M09903)
STATE OF IDAHO) :ss.	
County of Latah)	

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 220 o'clock p.m., this 28th day of November, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

11/25/22 (Date)

Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF II					
County of Lat	ah)				
I, Law	rence Mowery, being duly sworn, do hereby state the following information is true and				
correct to the	best of my knowledge and belief:				
(1)	That I am employed by Moscow Police Department in the official position of Forensic				
	Detective;				
(2)	Affidavit has been a trained and qualified peace office for Twelve (12) years;				
(3)	On November 26, 2022, I obtained a search warrant for eBay;				
(4)	(4) The warrant was served on November 26, 2022, by email (fax, email, etc);				
(5)	On 11/28/22, I received an e-mail from eBay which contained the requested				
	information;				
(6)	An inventory was prepared for all the items received; and				
(7)	The information received was placed into evidence at the Moscow Police Department.				
FURT	THER your Affiant sayeth not.				
	Lawrence Mowery				
	Affiant				
I certi	fy (or declare) under penalty of perjury pursuant to the law the State of Idaho that				
the foregoing	s is true and correct.				
1	Lula 200 (62				
	(Signature)				

IN THE MATTER OF THE APPLICATION	Case No.
FOR A SEARCH WARRANT FOR	
eBay Inc.,	RECEIPT AND
ATTN Legal Department	INVENTORY OF WARRANT
Submit via https://le.corp.ebay.com	
On the 26st day of November	, 20 <u>22</u> , at approximately <u>7:07</u> o'clock <u>P</u> .M.,
the following peace officers:	
served the Search Warrant heretofore issued	upon the place and/or person(s) described therein as
directed in said Search Warrant. Entrance wa	as obtained by:
The person(s) found in said place were: _	
7	\sim
• • •	ation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
ASIN 404016324938 DATA	
ASIN 384887534661 DATA	

RECEIPT AND INVENTORY

PAGE 1 OF 2 PAGES

This Receipt and Inve	entory was n	nade in the pr	esence of: _		
			/ _		
A copy hereof was gi	ven to the fo	ollowing nam	ed person(s)	on the	day of
		_, 20;			
* * * * * * * * * * * * * * * * * * * *					· · · · · · · · · · · · · · · · · · ·
					
A copy hereof was let	ft on this dat	te in a conspic	cuous place i	n the place searche	d, there being no
person(s) present during		-	-		
person(s) present during	said scarcii.	<u></u>			
DATED this 28	day of	العظادهم	BER	, 20 22.	
X					
				Ent	, 1
WITNESS			PEACE C		
The undersigned per	son(s) hereb	ov acknowled	ge receiving	a copy hereof on th	nis đay of
		, 20			
			\		

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
ISB No.8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No
for a Search Warrant for:	`	
)	
eBay Inc.,) ·	ORDER
ATTN Legal Department)	
Ph: 801-545-1385)	
Email:)	
Submit via https://le.corp.ebay.com)	
)	
MPD Case No. 22-M09903)	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

1

REDACTED

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

2

DATED	11/29/22	•

Megan E. Marshall
Megan E. Marshall
Magistrate Judge

In the Matter of the Application for a Search Warrant for:

eBay Inc ATTN Legal Department Ph: 801-545-1385 Email:

Submit via https://le.corp.ebay.com

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises consists of information for the crime(s) of homicide in the possession or control of EBAY related to the sales of the following items for the period of January 1, 2022 to present:

- 1. ASIN 404016324938, Ka-Bar Full Size US Marine Corps Fighting Knife
- 2. ASIN 384887534661, Ka-Bar 1217S, Leather Sheath, USMC Logo



The records and documents shall include but are not limited to:

- Account information for the above-named individuals/entities on eBay or affiliated
 websites including but not limited to: contact information, billing information, account
 opening date, account closing date, and any other information retained in connection with
 the identified accounts;
- Order details and purchase history for all transactions conducted by the above-named individuals/entities on eBay or any eBay affiliated storefront/webstore, including IP address information for purchases made;
- Payment information for payments made (or facilitated by) eBay to or from the abovenamed individuals/entities including payments through eBay or eBay supported platforms;
- All customer interaction records between eBay and the above-named individuals/entities and their representatives to include call notes, call recordings, emails and/or written correspondence;

located in or upon the following described premises,

eBay Inc ATTN Legal Department Ph: 801-545-1385

Email: <u>i</u> Submit via https://le.corp.ebay.com

INSTRUCTIONS FOR PRODUCTION OF ELECTRONICALLY (DIGITALLY) STORED RECORDS

Electronic Records

Electronically stored records shall be produced in electronic form and shall include those records held (1) in your record retention systems; and/or (2) by your technology, data, or other service provider(s).

Text Data

Text data relating to transactions (e.g., core data, history file) shall be produced within a data file: (1) using delimited ASCII text data format; or (2) within software that can export without loss of data to a non-proprietary file format; or (3) using commonly readable file format

set by agreement.

Text data files relating to transactions produced according to the above shall include field descriptions (e.g., account number, date/time, description, payee/payor, check number, item identifier, and amount).

Image Data

Image data shall be produced in graphic data files in a non-proprietary or commonly readable format with the highest image quality maintained. Image data of items associated with specific transactions (e.g., checks, deposits) shall be: (1) Produced in individual graphic data files with any associated endorsements; and (2) linked to corresponding text data by a unique identifier.

Encryption/Authentication

Electronically stored records may be transmitted in an encrypted container. Decryption keys shall be produced separately at the time the data are produced. Authentication, such as hash coding, may be set by agreement.

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and bring it promptly before the Court above-named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time), and UNDER THE FOLLOWING SPECIAL DIRECTIONS:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, EBAY IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

EBAY SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

	UNDER	MY	HAND	and	DATED	this	26th	day	of	November,	2022,	at
6:14			<u> </u>	.m.			Man	90 PM	Par	stall		
							Magistrate .		Yu	7804		

Filed: 02/28/2023 09:00:49
Second Judicial District, Latah County
Julie Fry, Clerk of the Court
By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Idaho Central Credit Union Attn Deposit Services 4400 Central Way Chubbuck, ID 83202

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2/27/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Idaho Central Credit Union Attn Deposit Services 4400 Central Way Chubbuck, ID 83202 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 7, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/4/22 @ 2:24 pu

Magistrate Judge

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

Idaho Central Credit Union Attn Deposit Services 4400 Central Way Chubbuck, ID 83202

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 15th day of December, 2022.

ASHLEY S. JENNINGS ()
Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

)	
In the Matter of the A	pplication)	Case No. CR29-
For a Search Warrant	for:)	
X)	
Idaho Central Credit I	Union)	RETURN OF
Attn Deposit Services)	SEARCH WARRANT
4400 Central Way)	
Chubbuck, ID 83202)	
)	
MPD Case No. 22-M	09903)	
	,		
STATE OF IDAHO)		
	:ss.		
County of Latah)		

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 4:00 o'clock p.m., this 5th day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/05/2022 (Date)

Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE	OF ID	,				
County	of Lata	:ss. h)				
	I, Lawı	ence Mowery, being duly sworn, do hereby state the following information is true and				
correct	to the b	est of my knowledge and belief:				
	(1)	That I am employed by Moscow Police Department in the official position of Forensic				
		Detective;				
	(2)	Affidavit has been a trained and qualified peace office for 12 years;				
	(3)	On 11/28/22, I obtained a search warrant for Idaho Central Credit Union;				
	(4) The warrant was served on 11/28/22 by email (fax, email, etc);					
	(5) On 11/30/22, I received an e-mail from Idaho Central Credit Union which contained					
		the requested information;				
	(6)	An inventory was prepared for all the items received; and				
	(7)	The information received was placed into evidence at the Moscow Police Department.				
	FURTI	IER your Affiant sayeth not.				
		Lawrence Mowery				
		Affiant				
		(or declare) under penalty of perjury pursuant to the law the State of Idaho that				
the fore	going	s true and correct.				
	12/05/	2000 PCm 162				
12/05/2022 (Signature)						

1

IN THE MATTER OF	Case No.
THE APPLICATION FOR A SEARCH WARRANT FOR	\rightarrow
FOR A SEARCH WARRAIT FOR	×)
Idaho Central Credit Union	RECEIPT AND
4400 Central Way	INVENTORY OF WARRANT
Chubbuck, ID 83202	
On the 28 day of November	, 20 <u>22</u> , at approximately <u>11:44</u> o'clock <u>A</u> .M.,
the following peace officers: Detective Lav	wrence Mowery
(60	
The person(s) found in said place were:	
	2
The property found and taken and the lo	cation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial Records for Ethan Chapin	
Financial Records for Maddie Mogen	
Financial Records for Xana Kernodle	
Financial Records for Kaylee Goncalves	

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial Records for	/
Financial Records for	
Financial Records for	
	A
	X
	\
	

This Receipt and Inventory was made in the	ne presence of:
	named person(s) on the day of
person(s) present during said search:	
DATED this5 day of	December , 20 <u>22</u> .
WITNESS	PEACE OFFICER
The undersigned person(s) hereby acknow, 20,	wledge receiving a copy hereof on this day of:

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Idaho Central Credit Union)	
Attn Deposit Services)	ORDER
4400 Central Way)	
Cubbuck, ID 83202	j	
)	
MPD Case No. 22-M09903	<u>`</u>	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

ORDER 1

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/18/22 0 2:24 ph.

Megan E. Marshall Magistrate Judge

ORDER 2

In the Matter of the Application for a Search Warrant for:

Idaho Central Credit Union ATTN Deposit Services 4400 Central Way Chubbuck ID 83202

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime(s) of homicide to include all records and documents (the terms "records" and "documents" mean any and all tangible forms of expression in your possession, custody, or control, in any language or



format, and include, but are not limited to, writings, papers, and tape recordings, electronic video and audio recordings (e.g. video surveillance), microform, electromagnetic recordings, optical recordings, electronic files or records, photographs, drafts, finished versions, originals, and copies, however created, produced, or stored. Video surveillance/images pertaining to account transactions (to include account opening, deposit, withdrawals, etc.) are included with this request. Supporting information can be provided to help identify surveillance video/images for some of the transactions) from September 1, 2022 to present in the name or control of:

- Ethan Chapin,
- Madison May Mogen,
- Xana Alexia Kernodle,
- Kaylee Jade GonCalves,
- •
- •
- •

to include the following:

- All Open and Closed accounts: all records pertaining to the individuals(s) or business
 entities identified in this letter whether held jointly or severally or as trustee or fiduciary
 as well as custodian, executor or guardian, as well as any other entity in which these
 individual(s) or entities may have a financial interest; includes all accounts in which these
 individuals had signatory authority and/or the right of withdrawal; these records should
 include:
 - Signature cards;
 - Statement Data/Monthly Account Statements;
 - Identification of and name assigned on all Debit Cards on account;
 - Deposits and supporting documentation including but not limited to evidence of cash, cancelled deposited checks front and back, transfers from other accounts including full account number and name, and other credit information.
 - Checks and other withdrawals including but not limited to cancelled checks front and back, withdrawals and offsets, evidence of cash withdrawals, transfers from other accounts including account number and name, other debit information;
 - Wire transfers in and out including wire transfer instructions and evidence of requestor if possible;

- Evidence of cash transactions and identifying information of individuals conducting cash transactions;
- Identification of sender or recipient bank, full account number, and account name on ACH transfers, online transfers, teller transfers, or other transfers;
- Electronic/Internet records: for those customers who engage in online banking with your financial institution, the following information pertaining to that online banking account: usernames or other identifying information for the account; e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter; historical access logs for authentication to the account including Internet Protocol (IP) addresses for this account and date, time and duration of each session;
- Certificate of Deposit and Money Market Certificates: including applications, actual
 instrument(s), records of purchases and redemptions, checks issued on redemption,
 checks used to purchase certificates, any correspondence and any Forms 1099 issued,
 records revealing the annual interest paid or accumulated, the dates of payment or date
 interest is earned, and checks issued for interest payments;
- Credit Card records (e.g. MasterCard and Visa): including customer's application, signature card, credit or background investigations conducted, correspondence, monthly billing statements, individual charge invoices, repayment records, disclosing the date, amounts and method of repayment, checks used to make repayments (front and back);
- Purchase of Bank Checks: purchases of bank checks, cashiers, teller, traveler's check
 records, or money order records, including the check register, file copies of the check or
 money orders, records revealing the date and source of payment for said checks or money
 orders;
- Correspondence: all records of correspondence/communication between the customer and the financial institution relating to the above services or for any other purpose, including customer service inquiries or requests for assistance;
- Safe Deposit Boxes: any and all information pertaining to safe deposit boxes held by customer including safe deposit application, authorized signers, and access logs;
- Other records: all applications, forms, and other written documents completed by the
 customer; records of certified checks, wire transfers, or collections, letter credit, bonds
 and securities purchased through your financial institution, savings bond transaction and
 investment accounts. Such records that disclose the date and amount of the transaction,
 method (cash or check) and source of payment, instruments and statements of
 transactions; all correspondence with the above individual(s)/entities and/or with third
 parties regarding the above individual(s)/entities; all memoranda, notes, files, or records
 relating to meetings or conversations concerning the above individual(s)/entities;

located at the following premises:

Idaho Central Credit Union (ICCU) ATTN Deposit Services 4400 Central Way Chubbuck ID 83202 Ph: 208-478-3300

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and bring it promptly before the Court above-named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time) and with the following directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, ICCU IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF ONE (1) YEAR OR UNTIL FURTHER ORDER OF THE COURT.

ICCU SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY	HAND	and	DATED	this	27th	day	of	November,	2022,	at
2:48			р	.m.								

Magistrate Judge

Filed: 02/28/2023 09:02:47 Second Judicial District, Latah County Julie Fry, Clerk of the Court

By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Idaho Department of Labor Attn: Kevin Wauhob 219 West Main Street Boise, ID 83735

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2 27 2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Idaho Department of Labor Attn: Kevin Wauhob 219 West Main Street Boise, ID 83735

MPD Case No. 22-M0903

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 3, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/2/22 p 9:54 am

Magistrate Judge

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

Idaho Department of Labor Attn: Kevin Wauhob 219 West Main Street Boise, ID 83735 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M0903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this _ day of December, 2022.

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE WILLIAM W. THOMPSON PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No. 2613 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

)	
In the Matter of the A For a Search Warrant)	Case No. CR29-
1 OI di Doddoir Wallant	101.	, ,	
Idaho Department of	Labor)	RETURN OF
Attn: Kevin Wauhob)	SEARCH WARRANT
219 West Main St)	
Boise, ID 83735)	
)	
MPD Case No. 22-M	09903)	
STATE OF IDAHO)		
	:ss.		
County of Latah)		

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/01/2022 (Date)

Peace Officer

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF II					
County of Lat	ah)				
I, Law	rence Mowery, being duly sworn, do hereby state the following information is true and				
correct to the	best of my knowledge and belief:				
(1)	That I am employed by Moscow Police Department in the official position of Forensic				
	Detective;				
(2)	Affidavit has been a trained and qualified peace office for 12 years;				
(3)	On 11/28/22, I obtained an amended search warrant for Idaho Department of Labor;				
(4)	The warrant was served on 11/29/2022, by email (fax, email, etc);				
(5)	On 11/30/22, I received an e-mail from Idaho Department of Labor which contained				
	the requested information;				
(6)	An inventory was prepared for all the items received; and				
(7)	The information received was placed into evidence at the Moscow Police Department.				
FURT	HER your Affiant sayeth not.				
	Lawrence Mowery				
I certi	Affiant fy (or declare) under penalty of perjury pursuant to the law the State of Idaho that				
the foregoing	is true and correct.				
12/01 (Date)	(Signature)				

AFFIDAVIT 1

IN THE MATTER OF	Case No.
THE APPLICATION FOR A SEARCH WARRANT FOR	*
Idaho Department of Labor	RECEIPT AND
Attn: Kevin Wauhob	INVENTORY OF WARRANT
219 West Main Street, Boise, ID 83735	
7.	
On the 29th day of November	, 2022, at approximately 231 o'clock P.M.,
the following peace officers: Detective Law	vrence Mowery
X	
	l upon the place and/or person(s) described therein as was obtained by:
The person(s) found in said place were:	
The property found and taken and the loc	cation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial Records for Ethan Chapin	
Financial Records for Maddie Mogen	
Financial Records for Xana Kernodle	
Financial Records for Kaylee Goncalves	

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial Records for	
Financial Records for	
Financial Records for	
<u> </u>	
- /	
	77
	X

A copy hereof was g	iven to the follow	wing named p	erson(s) on the		day of
 	, 20	0;			
					· · · · · ·
A copy hereof was le person(s) present during		_	-		ere being no
DATED this 1	day of	Deceml	per , 20	22 .	
DATED this1_	day of	Decemb			
()	day of	December 1	per , 20		
WITNESS The undersigned per	rson(s) hereby ac	F Eknowledge re	PEACE OFFICER	. /b2	day of
WITNESS The undersigned per		F Eknowledge re	PEACE OFFICER	. /b2	day of

LATAH COUNTY PROSECUTOR'S OFFICE WILLIAM W. THOMPSON PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.2613 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Idaho Department of Labor)	
Attn: Kevin Wauhog)	ORDER
219 West Main Street)	
Boise, Idaho 83735)	
)	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

ORDER 1

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/2/22 p 9:54 am.

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for:

Idaho Department of Labor Attn: Kevin Wauhob 219 West Main St Boise ID 83735

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime(s) of homicide to include all records and documents (the terms "records" and "documents" mean any and all tangible forms of expression in your possession, custody, or control, in any language or format, and include, but are not limited to, writings, papers, and tape recordings, electronic video

REDACTED,

and audio recordings (e.g. video surveillance), microform, electromagnetic recordings, optical recordings, electronic files or records, photographs, drafts, finished versions, originals, and copies, however created, produced, or stored. Video surveillance/images pertaining to account transactions (to include account opening, deposit, withdrawals, etc.) are included with this request. Supporting information can be provided to help identify surveillance video/images for some of the transactions) from September 1, 2022 to present in the name or control of:

- Ethan Chapin,
- Madison May Mogen,
- Xana Alexia Kernodle,
- Kaylee Jade GonCalves,
- •
- _
- •
- •

to include the following:

- All Open and Closed accounts: all records pertaining to the individuals(s) or business
 entities identified in this letter whether held jointly or severally or as trustee or fiduciary
 as well as custodian, executor or guardian, as well as any other entity in which these
 individual(s) or entities may have a financial interest; includes all accounts in which these
 individuals had signatory authority and/or the right of withdrawal; these records should
 include:
 - Signature cards;
 - Statement Data/Monthly Account Statements;
 - Identification of and name assigned on all Debit Cards on account;
 - Deposits and supporting documentation including but not limited to evidence of cash, cancelled deposited checks front and back, transfers from other accounts including full account number and name, and other credit information.
 - Checks and other withdrawals including but not limited to cancelled checks front and back, withdrawals and offsets, evidence of cash withdrawals, transfers from other accounts including account number and name, other debit information;
 - Wire transfers in and out including wire transfer instructions and evidence of requestor if possible;
 - Evidence of cash transactions and identifying information of individuals conducting cash transactions;

- Identification of sender or recipient bank, full account number, and account name on ACH transfers, online transfers, teller transfers, or other transfers;
- Electronic/Internet records: for those customers who engage in online banking with your financial institution, the following information pertaining to that online banking account: usernames or other identifying information for the account; e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter; historical access logs for authentication to the account including Internet Protocol (IP) addresses for this account and date, time and duration of each session;
- Certificate of Deposit and Money Market Certificates: including applications, actual
 instrument(s), records of purchases and redemptions, checks issued on redemption,
 checks used to purchase certificates, any correspondence and any Forms 1099 issued,
 records revealing the annual interest paid or accumulated, the dates of payment or date
 interest is earned, and checks issued for interest payments;
- Credit Card records (e.g. MasterCard and Visa): including customer's application, signature card, credit or background investigations conducted, correspondence, monthly billing statements, individual charge invoices, repayment records, disclosing the date, amounts and method of repayment, checks used to make repayments (front and back);
- Purchase of Bank Checks: purchases of bank checks, cashiers, teller, traveler's check
 records, or money order records, including the check register, file copies of the check or
 money orders, records revealing the date and source of payment for said checks or money
 orders;
- Correspondence: all records of correspondence/communication between the customer and the financial institution relating to the above services or for any other purpose, including customer service inquiries or requests for assistance;
- Safe Deposit Boxes: any and all information pertaining to safe deposit boxes held by customer including safe deposit application, authorized signers, and access logs;
- Other records: all applications, forms, and other written documents completed by the
 customer; records of certified checks, wire transfers, or collections, letter credit, bonds
 and securities purchased through your financial institution, savings bond transaction and
 investment accounts. Such records that disclose the date and amount of the transaction,
 method (cash or check) and source of payment, instruments and statements of
 transactions; all correspondence with the above individual(s)/entities and/or with third
 parties regarding the above individual(s)/entities; all memoranda, notes, files, or records
 relating to meetings or conversations concerning the above individual(s)/entities;

located at the following premises:

Idaho Department of Labor (IDOL) Attn: Kevin Wauhob 219 West Main St Boise ID 83735

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the
property described above, TO SEIZE it if found and bring it promptly before the Court above-named.
THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS
AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime"
means the hours between 6:00 a.m. and 10:00 p.m. local time) and with the following directions:
**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, IDOL IS
ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH
WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH
WARRANT FOR A PERIOD OF ONE (1) YEAR OR UNTIL FURTHER ORDER OF THE
COURT.

GIVEN	UNDER	MY	HAND	and	DATED	this	28th	_ day of November	, 20
8:54		7	_ <u>P</u>	.m.			, A ()	00	
							YY LOTA	Madrall	
							Magistrate Jud		

Filed: 02/28/2023 09:04:45 Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Numerica Credit Union 14610 E Sprague Spokane, WA 99216

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2 27 2023

Megan E. Marshall
Magistrate Judge

In the Matter of the Application for a Search Warrant for

Numerica Credit Union 14610 E Sprague Spokane, WA 99216 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 2, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/2/22 p 9:50 am

Magistrate Judge

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Case No.

Numerica Credit Union 14610 E Sprague Spokane, WA 99216

MOTION TO SEAL SEARCH WARRANT AND RELATED **DOCUMENTS**

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

Interfere with enforcement proceedings; 1.

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this day of December, 2022.

ASHLEY S. JENNINGS
Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the App for a Search Warrant for	-) Case No. CR29-	
Numerica Credit Union 14610 E Sprague Spokane, WA 99216	5))	RRANT
MPD Case No. 22-M09	9903) <u>-</u>	
STATE OF IDAHO) :ss.		
County of Latah)		

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/01/2022 (Date) Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF IDAHO)
	:SS
County of Latah)

I, Lawrence Mowery, being duly sworn, do hereby state the following information is true and correct to the best of my knowledge and belief:

- (1) That I am employed by Moscow Police Department in the official position of Forensic Detective;
- (2) Affidavit has been a trained and qualified peace office for 12 years;
- (3) On 11/28/22, I obtained a search warrant for Numerica Credit Union;
- (4) The warrant was served on 11/28/2022, by email (fax, email, etc);
- (5) On 11/29/22, I received an e-mail from Numerica Credit Union which contained the requested information;
- (6) An inventory was prepared for all the items received; and
- (7) The information received was placed into evidence at the Moscow Police Department.

FURTHER your Affiant sayeth not.

Lawrence Mowery

I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/1/22 (Date)

(Signature)

IN THE MATTER OF	Case No.
THE APPLICATION FOR A SEARCH WARRANT FOR	
	DECEMBE AND
Numerica Credit Union	RECEIPT AND INVENTORY OF WARRANT
14610 E Sprague	INVENTORY OF WARRANT
Spokane, WA 99216	
On the 28th day of November	, 20 <u>22</u> , at approximately <u>11:48</u> o'clock <u>a</u> .M.
the following peace officers: Detective Law	wrence Mowery
160	
served the Search Warrant heretofore issued	d upon the place and/or person(s) described therein as
directed in said Search Warrant. Entrance v	- · ·
disside in said Sourch Warrant. Emailes	
The person(s) found in said place were:	
The property found and taken and the loc	cation within or upon said place and/or person(s) are
as follows:	\times
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial Records for Ethan Chapin	
Financial Records for Maddie Mogen	
Financial Records for Xana Kernodle	
Financial Records for Kaylee Goncalves	

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial Records for	/
Financial Records for	
Fiancial Records for	
_	<u> </u>
	**
·	
	

A copy hereof was give	n to the following	ing named	d person(s) on th	e	day of
	, 20_	;			
A copy hereof was left of	on this date in a	conspicu	ous place in the	place searched.	there being no
in topy months was read.	011 H11D 0000 111 0				
angan(a) magant duning sa	id soomah.	-		,	
person(s) present during sa	aid search:	-		•	
				20.22	
DATED this1st				20.22	
				20.22	
DATED this1st				20.22	
DATED this1st					
DATED this 1st WITNESS	_day of	Dece	mber Compenses PEACE OFFICE	,20 <u>22</u> . 	
DATED this1st	_day of	Dece	mber Compenses PEACE OFFICE	,20 <u>22</u> . 	
DATED this1st	_day of	Dece	mber Compenses PEACE OFFICE	,20 <u>22</u> . 	
DATED this1st	_day of	Dece	mber Compenses PEACE OFFICE	,20 <u>22</u> . 	

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Numerica Credit Union)	ORDER
14610 E Sprague)	
Spokane WA, 99216)	
)	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/2/22 @ 9:50 am

Megan E. Marshall Magistrate Judge

ORDER 2

In the Matter of the Application for a Search Warrant for:

Numerica Credit Union Attn: Legal Department 14610 E Sprague Spokane WA 99216

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime(s) of homicide to include all records and documents (the terms "records" and "documents" mean any and all tangible forms of expression in your possession, custody, or control, in any language or format, and include, but are not limited to, writings, papers, and tape recordings, electronic video

REDACTED

and audio recordings (e.g. video surveillance), microform, electromagnetic recordings, optical recordings, electronic files or records, photographs, drafts, finished versions, originals, and copies, however created, produced, or stored. Video surveillance/images pertaining to account transactions (to include account opening, deposit, withdrawals, etc.) are included with this request. Supporting information can be provided to help identify surveillance video/images for some of the transactions) from September 1, 2022 to present in the name or control of:

- Ethan Chapin,
- Madison May Mogen,
- Xana Alexia Kernodle,
- Kaylee Jade GonCalves,
- •
- •
- _

to include the following:

- All Open and Closed accounts: all records pertaining to the individuals(s) or business
 entities identified in this letter whether held jointly or severally or as trustee or fiduciary
 as well as custodian, executor or guardian, as well as any other entity in which these
 individual(s) or entities may have a financial interest; includes all accounts in which these
 individuals had signatory authority and/or the right of withdrawal; these records should
 include:
 - Signature cards;
 - Statement Data/Monthly Account Statements;
 - Identification of and name assigned on all Debit Cards on account;
 - Deposits and supporting documentation including but not limited to evidence of cash, cancelled deposited checks front and back, transfers from other accounts including full account number and name, and other credit information.
 - Checks and other withdrawals including but not limited to cancelled checks front and back, withdrawals and offsets, evidence of cash withdrawals, transfers from other accounts including account number and name, other debit information;
 - Wire transfers in and out including wire transfer instructions and evidence of requestor if possible;
 - Evidence of cash transactions and identifying information of individuals conducting cash transactions;

- Identification of sender or recipient bank, full account number, and account name on ACH transfers, online transfers, teller transfers, or other transfers;
- Electronic/Internet records: for those customers who engage in online banking with your financial institution, the following information pertaining to that online banking account: usernames or other identifying information for the account; e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter; historical access logs for authentication to the account including Internet Protocol (IP) addresses for this account and date, time and duration of each session;
- Certificate of Deposit and Money Market Certificates: including applications, actual
 instrument(s), records of purchases and redemptions, checks issued on redemption,
 checks used to purchase certificates, any correspondence and any Forms 1099 issued,
 records revealing the annual interest paid or accumulated, the dates of payment or date
 interest is earned, and checks issued for interest payments;
- Credit Card records (e.g. MasterCard and Visa): including customer's application, signature card, credit or background investigations conducted, correspondence, monthly billing statements, individual charge invoices, repayment records, disclosing the date, amounts and method of repayment, checks used to make repayments (front and back);
- Purchase of Bank Checks: purchases of bank checks, cashiers, teller, traveler's check
 records, or money order records, including the check register, file copies of the check or
 money orders, records revealing the date and source of payment for said checks or money
 orders;
- Correspondence: all records of correspondence/communication between the customer and the financial institution relating to the above services or for any other purpose, including customer service inquiries or requests for assistance;
- Safe Deposit Boxes: any and all information pertaining to safe deposit boxes held by customer including safe deposit application, authorized signers, and access logs;
- Other records: all applications, forms, and other written documents completed by the
 customer; records of certified checks, wire transfers, or collections, letter credit, bonds
 and securities purchased through your financial institution, savings bond transaction and
 investment accounts. Such records that disclose the date and amount of the transaction,
 method (cash or check) and source of payment, instruments and statements of
 transactions; all correspondence with the above individual(s)/entities and/or with third
 parties regarding the above individual(s)/entities; all memoranda, notes, files, or records
 relating to meetings or conversations concerning the above individual(s)/entities;

located at the following premises:

Numerica Credit Union Attn: Legal Department 14610 E Sprague Spokane WA 99216 Phone: 509-535-7613

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and bring it promptly before the Court above-named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time) and with the following directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, NUMERICA CREDIT UNION IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF ONE (1) YEAR OR UNTIL FURTHER ORDER OF THE COURT.

NUMERICA CREDIT UNION SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN UNDER MY HAND and DATED this 27th day of November, 2022, at 2:46 p.m.

Magan (Marshall Magistrate Judge

Filed: 02/28/2023 09:06:40

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Potlatch No1 Financial Credit Union (P1FCU) ATTN Legal Department 1015 Warner Ave Lewiston ID 83501 Ph: 208-746-8900

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Mashall Megan E. Marshall

Magistrate Judge

In the Matter of the Application for a Search Warrant for

Potlatch No1 Financial Credit Union (P1FCU)
ATTN Legal Department
1015 Warner Ave
Lewiston ID 83501
Ph: 208-746-8900

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 14, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 12/15/22 p 12:00 pu

Magistrate Judge

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

1

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Potlatch No1 Financial Credit Union (P1FCU)
ATTN Legal Department
1015 Warner Ave
Lewiston ID 83501

MPD Case No. 22-M09903

Ph: 208-746-8900

Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

- 1. Interfere with enforcement proceedings;
- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 14th day of December, 2022.

ASHLEY S JENNINGS

Sr. Deputy Prosecuting Attorney

CASE NO.				
Decen	15, 15,	2022	5:02PM	ĺ
	CLERK OF DIST LATAN CO	RICT COURT JUNTY	<u>5:00</u> PM	
. برخ			nonistis.	

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

		,	
In the Matter of the A	pplication) Case No. CR29-	
For a Search Warrant	for:	ĺ	
Potlatch No 1 Financi	al Credit Union (P1FCU)) RETURN OF	
Attn: Legal Departme	ent) SEARCH WARRANT	Γ
1015 Warner Ave)	
Lewiston, ID 83501		ĺ	
MPD Case No. 22-M	09903		
STATE OF IDAHO)		
	:SS.		
County of Latah)		

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 9:00 o'clock a.m., this 14th day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/14/2022 (Date)

REDACTED

Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF ID	,
County of Lata	iss. th)
I, Lawr	rence Mowery, being duly sworn, do hereby state the following information is true and
correct to the b	est of my knowledge and belief:
(1)	That I am employed by Moscow Police Department in the official position of Forensic
	Detective;
(2)	Affidavit has been a trained and qualified peace office for 12 years;
(3)	On 11/28/22, I obtained a search warrant for P1FCU;
(4)	The warrant was served on 11/28/2022, by FedEx (fax, email, etc);
(5)	On 12/9/22, I received an mail from P1FCU which contained the requested information;
(6)	An inventory was prepared for all the items received; and
(7)	The information received was placed into evidence at the Moscow Police Department.
FURTI	HER your Affiant sayeth not.
	Lawrence Mowery Affiant
I certif	y (or declare) under penalty of perjury pursuant to the law the State of Idaho that
the foregoing i	is true and correct.
12/14/2 (Date)	2022 (Signature)

IN THE MATTER OF THE APPLICATION FOR A SEARCH WARRANT FOR	Case No.
P1FCU	RECEIPT AND
1015 Warner Ave	INVENTORY OF WARRANT
Lewiston, ID 83501	
On the 28 day of November	, 20 <u>22</u> , at approximately <u>12:00</u> o'clock <u>A</u> .M.,
the following peace officers: Detective Lawre	
X ~	
The person(s) found in said place were:	
The property found and taken and the locat	tion within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial records for Ethan Chapin	
Financial records for Maddie Mogen	
Financial records for Xana Kernodle	
Financial records for Kaylee Goncalves	

PAGE 1 OF 3 PAGES

RECEIPT AND INVENTORY

DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial records for	/
Financial records for	
Financial records for	
	X
(())	
· · · · · · · · · · · · · · · · · · ·	- X
- Marin - Mari	

RECEIPT AND INVENTORY

PAGE 2 OF 3 PAGES

This Receipt and Inventory wa	as made in	the prese	ence of:		
		- //			
A copy hereof was given to th	ne followin	ig named	person(s) o	n the	day of
	, 20	;			
		-		45	
A copy hereof was left on this person(s) present during said sear	rch:	- 			l, there being no
DATED this 14 day o	of	Decen	nber Jz	, 20 <u>22</u> .	
WITNESS	1		PEACE OF	FICER	
The undersigned person(s) he	/	_	receiving a	copy hereof on th	is day of
		_	7.		

GASE NO. ______DEPUTY

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

for a Search Warrant for:	Case No.
Potlatch No1 Financial Credit Union (P1FCU))	
Attn: Legal Department)	ORDER
1015 Warner Ave	
Lewiston, ID 83501	
j	
MPD Case No. 22-M09903	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

ORDER 1

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/15/22 p 12:00 pm.

Megan E. Marshall Magistrate Judge

ORDER 2

In the Matter of the Application for a Search Warrant for:

Potlatch No1 Financial Credit Union (P1FCU)
ATTN Legal Department
1015 Warner Ave
Lewiston ID 83501
Ph: 208-746-8900

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime(s) of homicide to include all records and documents (the terms "records" and "documents" mean any and all tangible forms of expression in your possession, custody, or control, in any language or

REDACTED

format, and include, but are not limited to, writings, papers, and tape recordings, electronic video and audio recordings (e.g. video surveillance), microform, electromagnetic recordings, optical recordings, electronic files or records, photographs, drafts, finished versions, originals, and copies, however created, produced, or stored. Video surveillance/images pertaining to account transactions (to include account opening, deposit, withdrawals, etc.) are included with this request. Supporting information can be provided to help identify surveillance video/images for some of the transactions) from September 1, 2022 to present in the name or control of:

- Ethan Chapin,
- Madison May Mogen,
- Xana Alexia Kernodle,
- Kaylee Jade GonCalves,
- •
- •
- •
- •

to include the following:

- All Open and Closed accounts: all records pertaining to the individuals(s) or business
 entities identified in this letter whether held jointly or severally or as trustee or fiduciary
 as well as custodian, executor or guardian, as well as any other entity in which these
 individual(s) or entities may have a financial interest; includes all accounts in which these
 individuals had signatory authority and/or the right of withdrawal; these records should
 include:
 - Signature cards;
 - Statement Data/Monthly Account Statements;
 - Identification of and name assigned on all Debit Cards on account;
 - Deposits and supporting documentation including but not limited to evidence of cash, cancelled deposited checks front and back, transfers from other accounts including full account number and name, and other credit information.
 - Checks and other withdrawals including but not limited to cancelled checks front and back, withdrawals and offsets, evidence of cash withdrawals, transfers from other accounts including account number and name, other debit information;
 - Wire transfers in and out including wire transfer instructions and evidence of requestor if possible;

- Evidence of cash transactions and identifying information of individuals conducting cash transactions;
- Identification of sender or recipient bank, full account number, and account name on ACH transfers, online transfers, teller transfers, or other transfers;
- Electronic/Internet records: for those customers who engage in online banking with your financial institution, the following information pertaining to that online banking account: usernames or other identifying information for the account; e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter; historical access logs for authentication to the account including Internet Protocol (IP) addresses for this account and date, time and duration of each session;
- Certificate of Deposit and Money Market Certificates: including applications, actual
 instrument(s), records of purchases and redemptions, checks issued on redemption,
 checks used to purchase certificates, any correspondence and any Forms 1099 issued,
 records revealing the annual interest paid or accumulated, the dates of payment or date
 interest is earned, and checks issued for interest payments;
- Credit Card records (e.g. MasterCard and Visa): including customer's application, signature card, credit or background investigations conducted, correspondence, monthly billing statements, individual charge invoices, repayment records, disclosing the date, amounts and method of repayment, checks used to make repayments (front and back);
- Purchase of Bank Checks: purchases of bank checks, cashiers, teller, traveler's check
 records, or money order records, including the check register, file copies of the check or
 money orders, records revealing the date and source of payment for said checks or money
 orders;
- Correspondence: all records of correspondence/communication between the customer and the financial institution relating to the above services or for any other purpose, including customer service inquiries or requests for assistance;
- Safe Deposit Boxes: any and all information pertaining to safe deposit boxes held by customer including safe deposit application, authorized signers, and access logs;
- Other records: all applications, forms, and other written documents completed by the
 customer; records of certified checks, wire transfers, or collections, letter credit, bonds
 and securities purchased through your financial institution, savings bond transaction and
 investment accounts. Such records that disclose the date and amount of the transaction,
 method (cash or check) and source of payment, instruments and statements of
 transactions; all correspondence with the above individual(s)/entities and/or with third
 parties regarding the above individual(s)/entities; all memoranda, notes, files, or records
 relating to meetings or conversations concerning the above individual(s)/entities;

located at the following premises:

Potlatch No1 Financial Credit Union (P1FCU) ATTN Legal Department

1015 Warner Ave Lewiston ID 83501 Ph: 208-746-8900

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and bring it promptly before the Court above-named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time) and with the following directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, P1FCU IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF ONE (1) YEAR OR UNTIL FURTHER ORDER OF THE COURT.

P1FCU SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY	HAND	and	DATED	this	27th	day	of	November,	2022,	at
2:33			р	.m.								

Magistrate Judge

Megan Marshall

V DEPUTY

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Potlatch No1 Financial Credit Union (P1FCU)
ATTN Legal Department
1015 Warner Ave
Lewiston ID 83501
Ph: 208-746-8900

MPD Case No. 22-M09903

Case No.

ORDER FOR EXTENSION TO RETURN SEARCH WARRANT

The above matter having come before the Court based upon the motion of the State, and good cause appearing:

IT IS HEREBY ORDERED that the time for which the above referenced search warrant shall be returned is extended to March 8, 2023.

SO ORDERED this \2\9\22

Magistrate Judge

CERTIFICATE OF DELIVERY

	ne and correct copies of the ORDER FOR WARRANT were served on the following in the
William W. Thompson, Jr. Latah County Prosecuting Attorney Latah County Courthouse Moscow, ID 83843	☐ Mailed ☐ E-filed & Served / E-mailed ☐ Faxed ☑ Hand Delivered
Dated 12/9/22	
	TONYA DODGE Latah County Clerk of the Court By: Deputy Clerk

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

Potlatch No1 Financial Credit Union (P1FCU)
ATTN Legal Department
1015 Warner Ave
Lewiston ID 83501
Ph: 208-746-8900

MPD Case No. 22-M09903

The State of Idaho by and through Ashley S. Jennings, Latah County Sr. Deputy Prosecuting Attorney, moves this Court for an order extending the time for returning the above referenced search warrant which was issued on November 27, 2022 The search warrant was directed by the Court to be served within fourteen (14) days of issuance during business hours. The warrant was served by Detective Lawrence Mowery November 28, 2022, by FedEx.

However, as of this date, the information has not been received.

Although the warrant was executed within the fourteen (14) day timeframe directed by I.C. 19-4412, the State is not able to comply with the timeframe within which to return the warrant and provide a written inventory. Accordingly, the State requests an extension of time for the return of the search warrant.

RESPECTFULLY SUBMITTED this May of December, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

Filed: 02/28/2023 09:08:56 Second Judicial District, Latah County Julie Fry, Clerk of the Court By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Umpqua Bank Attn: Legal Order Processing 280 S Capitol Blvd Boise ID 83702

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2 27 2023

Megan E. Marshal Magistrate Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Umpqua Bank Attn: Legal Order Processing 280 S Capitol Blvd **Boise ID 83702**

MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED **DOCUMENTS**

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 6, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/5/22 p 4:15

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

1

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

Umpqua Bank Attn: Legal Order Processing 280 S Capitol Blvd Boise ID 83702 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 5th day of December, 2022.

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

Case No.
ORDER

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

ORDER 1

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any

person or laboratories for the purpose of conducting or obtaining any tests, analysis, or

identification of said property which is deemed necessary by the custodial law enforcement agency

or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/5/22 p 4:15 pm.

Megan E. Marshall

Magistrate Judge

ORDER 2

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

)	
In the Matter of the A	pplication	Ś	Case No. CR29-
For a Search Warrant	* *	í	
		Ś	
Umpqua Bank)	RETURN OF
Attn: Legal Order Pro	cessing)	SEARCH WARRANT
280 S Capitol Blvd	\ \ \)	
Boise ID 83702)	
)	
MPD Case No. 22-M	09903		
STATE OF IDAHO)		
	:ss.		
County of Latah)		

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 1000 o'clock A.m., this 5 day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/5/22 REDACTED

JEM 162

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF IDAH	
County of Latah	:ss.)
I, Lawrence	e Mowery, being duly sworn, do hereby state the following information is true and
correct to the best	of my knowledge and belief:
(1) Th	at I am employed by Moscow Police Department in the official position of Forensic
De	etective;
(2) Af	fidavit has been a trained and qualified peace office for 12 years;
(3) Or	11/19/22, I obtained a search warrant for Umpqua;
(4) Th	e warrant was served on 11/21/2022 and 11/22/2022, by FedEx and email (fax,
em	nail, etc);
(5) Or	11/23/22, I received an e-mail from Umpqua which contained the requested
inf	Formation;
(6) Ar	inventory was prepared for all the items received; and
(7) Th	e information received was placed into evidence at the Moscow Police Department.
FURTHE	R your Affiant sayeth not.
	Lawrence Mowery
I certify (Affiant or declare) under penalty of perjury pursuant to the law the State of Idaho that
the foregoing is to	rue and correct.
10/05/000	for 162
<u>12/05/202</u> (Date)	(Signature)

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

IN THE MATTER OF	Case No.
THE APPLICATION FOR A SEARCH WARRANT FOR	
Umpqua Bank	RECEIPT AND
280 S Capitol Blvd	INVENTORY OF WARRANT
Boise, ID 83702	
On the 22 day of November	, 20 <u>22</u> , at approximately <u>1:21</u> o'clock <u>P</u> .M.,
the following peace officers: Detective Law	rence Mowery
served the Search Warrant heretofore issued	upon the place and/or person(s) described therein as
directed in said Search Warrant. Entrance w	vas obtained by: FedEx and Email:
	•
The person(s) found in said place were:	
	·
TTI 4 C 1 - 14-1 14h - 1	
• • •	cation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial records for Ethan Chapin	_
Financial records for Maddie Mogen	
Financial records for Xana Kernodle	
Financial records for Kaylee Goncalves	

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial records for .	
Financial records for	X
Financial records for	
100105	
· · · · · · · · · · · · · · · · · · ·	
	100 x

This Receipt and Inventory was mad	de in the presence of:
A copy hereof was given to the follo	owing named person(s) on the day of
	20;
A copy hereof was left on this date i	n a conspicuous place in the place searched, there being no
person(s) present during said search:	
DATED this4 day of	<u>December</u> , 20 <u>22</u> .
	JEN 182
WITNESS	PEACE OFFICER
The undersigned person(s) hereby	acknowledge receiving a copy hereof on this day of

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for:

Case No.

SEARCH WARRANT

Umpqua Bank Attn: Legal Order Processing 280 S Capitol Blvd Boise ID 83702

MPD Case No. 22-M09903

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime(s) of homicide to include all records and documents (the terms "records" and "documents" mean any and all tangible forms of expression in your possession, custody, or control, in any language or format, and include, but are not limited to, writings, papers, and tape recordings, electronic video

REDACTED

and audio recordings (e.g. video surveillance), microform, electromagnetic recordings, optical recordings, electronic files or records, photographs, drafts, finished versions, originals, and copies, however created, produced, or stored. Video surveillance/images pertaining to account transactions (to include account opening, deposit, withdrawals, etc.) are included with this request. Supporting information can be provided to help identify surveillance video/images for some of the transactions) from September 1, 2022 to present in the name or control of:

- Ethan Chapin,
- Madison May Mogen,
- Xana Alexia Kernodle,
- Kaylee Jade GonCalves,
- •
- •

to include the following:

- All Open and Closed accounts: all records pertaining to the individuals(s) or business
 entities identified in this letter whether held jointly or severally or as trustee or fiduciary
 as well as custodian, executor or guardian, as well as any other entity in which these
 individual(s) or entities may have a financial interest; includes all accounts in which these
 individuals had signatory authority and/or the right of withdrawal; these records should
 include:
 - Signature cards;
 - Statement Data/Monthly Account Statements;
 - Identification of and name assigned on all Debit Cards on account;
 - Deposits and supporting documentation including but not limited to evidence of cash, cancelled deposited checks front and back, transfers from other accounts including full account number and name, and other credit information.
 - Checks and other withdrawals including but not limited to cancelled checks front and back, withdrawals and offsets, evidence of cash withdrawals, transfers from other accounts including account number and name, other debit information;
 - Wire transfers in and out including wire transfer instructions and evidence of requestor if possible;
 - Evidence of cash transactions and identifying information of individuals conducting cash transactions;
 - Identification of sender or recipient bank, full account number, and account name on ACH transfers, online transfers, teller transfers, or other transfers;

- Electronic/Internet records: for those customers who engage in online banking with your financial institution, the following information pertaining to that online banking account: usernames or other identifying information for the account; e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter; historical access logs for authentication to the account including Internet Protocol (IP) addresses for this account and date, time and duration of each session;
- Certificate of Deposit and Money Market Certificates: including applications, actual
 instrument(s), records of purchases and redemptions, checks issued on redemption,
 checks used to purchase certificates, any correspondence and any Forms 1099 issued,
 records revealing the annual interest paid or accumulated, the dates of payment or date
 interest is earned, and checks issued for interest payments;
- Credit Card records (e.g. MasterCard and Visa): including customer's application, signature card, credit or background investigations conducted, correspondence, monthly billing statements, individual charge invoices, repayment records, disclosing the date, amounts and method of repayment, checks used to make repayments (front and back);
- Purchase of Bank Checks: purchases of bank checks, cashiers, teller, traveler's check
 records, or money order records, including the check register, file copies of the check or
 money orders, records revealing the date and source of payment for said checks or money
 orders;
- Correspondence: all records of correspondence/communication between the customer and the financial institution relating to the above services or for any other purpose, including customer service inquiries or requests for assistance;
- Safe Deposit Boxes: any and all information pertaining to safe deposit boxes held by customer including safe deposit application, authorized signers, and access logs;
- Other records: all applications, forms, and other written documents completed by the
 customer; records of certified checks, wire transfers, or collections, letter credit, bonds
 and securities purchased through your financial institution, savings bond transaction and
 investment accounts. Such records that disclose the date and amount of the transaction,
 method (cash or check) and source of payment, instruments and statements of
 transactions; all correspondence with the above individual(s)/entities and/or with third
 parties regarding the above individual(s)/entities; all memoranda, notes, files, or records
 relating to meetings or conversations concerning the above individual(s)/entities;

located at the following premises:

Umpqua Bank Attn: Legal Order Processing 280 S Capitol Blvd Boise ID 83702

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the

and the contract of the contr

	•	bring it promptly before the Court above-named.
THIS WARRANT SHA	LL BE EXECUTED WIT	THIN 7 DAYS OF ISSUANCE, AND IS
AUTHORIZED FOR DA	AYTIME SERVICE ONLY	Y (pursuant to Idaho Criminal Rule 41, "daytime"
means the hours between	n 6:00 a.m. and 10:00 p.m.	local time).
	•	
GIVEN UNDER MY 6:50	HAND and DATED this	day of November, 2022, at
0.00	<u> </u>	
		Magan Marshall Magistrate Judge
		Magistrate Judge

Filed: 02/28/2023 09:10:50

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Wells Fargo 877 W. Main St. Ste. 100 Boise, ID 83702

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 2 27 2023

Megan E. Marshall Magistrate Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Case No.

Wells Fargo 877 W. Main St. Ste. 100 Boise, ID 83702 ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until April 5, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 4th day of January, 2023. @ U-17 pM

Magistrate Judge

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

1

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

Wells Fargo 877 W. Main St. Ste. 100 Boise, ID 83702

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 4 day of January, 2023.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

)	
In the Matter of the A	pplication)	Case No. CR29-
For a Search Warrant	for:)	
)	
Wells Fargo)	RETURN OF
877 W Main St. Ste.1	00)	SEARCH WARRANT
Boise, ID 83702)	
)	
MPD Case No. 22-M	09903		
STATE OF IDAHO)		
	:ss.		
County of Latah)		

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 4:00 o'clock p.m., this 4th day of January, 2023.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

01/04/2023 (Date) Peace Officer

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF ID	•		
County of Lata	iss. ah)		
I, Law	rence Mowery, being duly sworn	, do hereby state the fo	ollowing information is true and
correct to the b	pest of my knowledge and belief:		
(1)	That I am employed by Moscow	Police Department in	the official position of Forensic
	Detective;		
(2)	Affidavit has been a trained and	qualified peace office	e for 12 years;
(3)	On 11/28/2022, I obtained a sea	rch warrant for Wells	Fargo;
(4)	The warrant was served on 11/2	8/22, by FedEx and e	mail (fax, email, etc);
(5)	On 12/30/2022, I received an	e-mail from Wells	Fargo which contained the
	requested information;		
(6)	An inventory was prepared for a	all the items received;	and
(7)	The information received was	placed into evidence	at the Latah County Sheriff's
	Department/Moscow Police De	partment/Idaho State l	Police.
FURTI	HER your Affiant sayeth not.		
		Lawrer Affiant	ce Mowery
I certif	y (or declare) under penalty of p		
the foregoing i	is true and correct.		
01/04/2	2023	1	(67
(Date)		Signat	ure)

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

IN THE MATTER OF	Case No.
THE APPLICATION FOR A SEARCH WARRANT FOR	
Wells Fargo	RECEIPT AND
877 W. Main St. Ste.100	INVENTORY OF WARRANT
Boise, ID 83702	
On the 28th day of November	, 20 <u>22</u> , at approximately o'clockM.,
the following peace officers: Detective Lav	wrence Mowery
served the Search Warrant heretofore issued	d upon the place and/or person(s) described therein as
directed in said Search Warrant. Entrance	
7	
The person(s) found in said place were:	
The property found and taken and the lo	cation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial Records for Ethan Chapin	
Financial Records for Maddie Mogen	
Financial Records for Xana Kernodle	
Financial Records for Kaylee Goncalves	

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial Records for	<u>/</u>
Financial Records for	
Financial Records for	
	-X)

	-
7	

This Receipt and Inventory was n	nade in the prese	ence of:		
	<i>/</i> ,			
A copy hereof was given to the fo		person(s) on t	he	day of
A copy hereof was left on this dat person(s) present during said search: DATED this4 day of				ere being no
			n 142	
WITNESS	····	PEACE OFFI	CER	
The undersigned person(s) hereb		receiving a co	py hereof on this _	day of
		7		

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Wells Fargo)	ORDER
877 W. Main St. Ste. 100)	
Boise, ID 83702)	
)	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 1/4/23 0 U:17 PM.

Megan E. Marshall Magistrate Judge

ORDER 2

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter	of the Application
for a Search	Warrant for:

Wells Fargo 877 W. Main St. Ste. 100 Boise, ID 83702

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime(s) of homicide to include all records and documents (the terms "records" and "documents" mean any and all tangible forms of expression in your possession, custody, or control, in any language or format, and include, but are not limited to, writings, papers, and tape recordings, electronic video

REDACTED

and audio recordings (e.g. video surveillance), microform, electromagnetic recordings, optical recordings, electronic files or records, photographs, drafts, finished versions, originals, and copies, however created, produced, or stored. Video surveillance/images pertaining to account transactions (to include account opening, deposit, withdrawals, etc.) are included with this request. Supporting information can be provided to help identify surveillance video/images for some of the transactions) from September 1, 2022 to present in the name or control of:

- Ethan Chapin,
- Madison May Mogen,
- Xana Alexia Kernodle,
- Kaylee Jade GonCalves,
- •
- •
- •
- •

to include the following:

- All Open and Closed accounts: all records pertaining to the individuals(s) or business
 entities identified in this letter whether held jointly or severally or as trustee or fiduciary
 as well as custodian, executor or guardian, as well as any other entity in which these
 individual(s) or entities may have a financial interest; includes all accounts in which these
 individuals had signatory authority and/or the right of withdrawal; these records should
 include:
 - Signature cards;
 - Statement Data/Monthly Account Statements;
 - Identification of and name assigned on all Debit Cards on account;
 - Deposits and supporting documentation including but not limited to evidence of cash, cancelled deposited checks front and back, transfers from other accounts including full account number and name, and other credit information.
 - Checks and other withdrawals including but not limited to cancelled checks front and back, withdrawals and offsets, evidence of cash withdrawals, transfers from other accounts including account number and name, other debit information;
 - Wire transfers in and out including wire transfer instructions and evidence of requestor if possible;
 - Evidence of cash transactions and identifying information of individuals conducting cash transactions;

- Identification of sender or recipient bank, full account number, and account name on ACH transfers, online transfers, teller transfers, or other transfers;
- Electronic/Internet records: for those customers who engage in online banking with your financial institution, the following information pertaining to that online banking account: usernames or other identifying information for the account; e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter; historical access logs for authentication to the account including Internet Protocol (IP) addresses for this account and date, time and duration of each session;
- Certificate of Deposit and Money Market Certificates: including applications, actual
 instrument(s), records of purchases and redemptions, checks issued on redemption,
 checks used to purchase certificates, any correspondence and any Forms 1099 issued,
 records revealing the annual interest paid or accumulated, the dates of payment or date
 interest is earned, and checks issued for interest payments;
- Credit Card records (e.g. MasterCard and Visa): including customer's application, signature card, credit or background investigations conducted, correspondence, monthly billing statements, individual charge invoices, repayment records, disclosing the date, amounts and method of repayment, checks used to make repayments (front and back);
- Purchase of Bank Checks: purchases of bank checks, cashiers, teller, traveler's check
 records, or money order records, including the check register, file copies of the check or
 money orders, records revealing the date and source of payment for said checks or money
 orders;
- Correspondence: all records of correspondence/communication between the customer and the financial institution relating to the above services or for any other purpose, including customer service inquiries or requests for assistance;
- Safe Deposit Boxes: any and all information pertaining to safe deposit boxes held by customer including safe deposit application, authorized signers, and access logs;
- Other records: all applications, forms, and other written documents completed by the customer; records of certified checks, wire transfers, or collections, letter credit, bonds and securities purchased through your financial institution, savings bond transaction and investment accounts. Such records that disclose the date and amount of the transaction, method (cash or check) and source of payment, instruments and statements of transactions; all correspondence with the above individual(s)/entities and/or with third parties regarding the above individual(s)/entities; all memoranda, notes, files, or records relating to meetings or conversations concerning the above individual(s)/entities;

located at the following premises:

Wells Fargo 877 W. Main St. Ste. 100 Boise, ID 83702

Phone: 208-519-3300

Fax: 208-393-2466

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and bring it promptly before the Court above-named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time) and with the following directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, WELLS FARGO IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF ONE (1) YEAR OR UNTIL FURTHER ORDER OF THE COURT.

WELLS FARGO SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN UNDER MY HAND and DATED this 27th day of November, 2022, at 2:51 p.m.

Magistrate Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Case No.

ORDER FOR EXTENSION TO RETURN SEARCH WARRANT

Wells Fargo 877 W. Main St. Ste. 100 Boise, ID 83702

MPD Case No. 22-M09903

The above matter having come before the Court based upon the motion of the State, and good cause appearing:

IT IS HEREBY ORDERED that the time for which the above referenced search warrant shall be returned is extended to March 8, 2023.

SO ORDERED this 12/9/22

Magistrate Judge

CERTIFICATE OF DELIVERY

I do hereby certify that true at EXTENSION TO RETURN SEARCH WAI manner indicated below:	nd correct copies of the ORDER FOR RRANT were served on the following in the
William W. Thompson, Jr. Latah County Prosecuting Attorney Latah County Courthouse Moscow, ID 83843	☐ Mailed ☐ E-filed & Served / E-mailed ☐ Faxed ☐ Hand Delivered
Dated 12 9 22	
Ву	TONYA DODGE Latah County Clerk of the Court

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Case No.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

Wells Fargo 877 W. Main St. Ste. 100 Boise, ID 83702

MPD Case No. 22-M09903

The State of Idaho by and through Ashley S. Jennings, Latah County Sr. Deputy Prosecuting Attorney, moves this Court for an order extending the time for returning the above referenced search warrant which was issued on November 27, 2022. The search warrant was directed by the Court to be served within fourteen (14) days of issuance during business hours. The warrant was served by Detective Lawrence Mowery on November 28, 2022, by FedEx. However, as of this date, the information has not been received.

Although the warrant was executed within the fourteen (14) day timeframe directed by

I.C. 19-4412, the State is not able to comply with the timeframe within which to return the warrant and provide a written inventory. Accordingly, the State requests an extension of time for the return of the search warrant.

RESPECTFULLY SUBMITTED this day of December, 2022.

ASHLEY S. JEN

Sr. Deputy Prosecuting Attorney

Filed: 03/01/2023 14:50:24 Second Judicial District, Latah County Julie Fry, Clerk of the Court By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

STATE	OF	IDAHO,

V.

Case No. CR29-22-2805

Plaintiff,

ORDER TO REDACT AND UNSEAL

BRYAN C. KOHBERGER,

Defendant.

On January 27, 2023, this matter came before the court for a status hearing. The hearing was held via Zoom. Ashley Jennings appeared on behalf of the State of Idaho. Mr. Kohberger appeared in custody with his attorney, Anne Taylor.

Having weighed the interests in privacy and public disclosure, the court finds it prudent to unseal the records related to the status hearing on January 27, 2023 with redactions, including certain individuals' names, because the disclosure of this information might threaten or endanger the life or safety of said individuals. I.C.A.R. 32(i)(2)(D). Therefore, after due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the records related to the status hearing on January 27, 2023 be redacted and unsealed.

Dated: 3/1/2023

Megan E. Marshall Magistrate Judge

Filed: 01/27/2023 15:42:22 Second Judicial District, Latah County Julie Fry, Clerk of the Court By: Deputy Clerk - Oliphant, Jennifer

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

State of Idaho vs.

Title of Action Bryan C. Kohberger

Judge: Megan E. Marshall

Type of Hearing

Minute Entry

Clerk: Jennifer Oliphant

Attorney for Plf.

Ashley Jennings

Recording: Z: 01/2023-01-27

Attorney for Def.

Anne Taylor

Case No. CR29-22-2805

Others Present

Bryan Kohberger

Date: January 27, 2023

Time: 12:47 PM

BE IT KNOWN THAT THE FOLLOWING PROCEEDINGS WERE HAD, TO WIT:

Court noted the presence of counsel and the defendant and stated that the defendant is still in custody. Court noted that all parties were appearing via Zoom.

Court stated that this is the time set for the Status Conference. Court stated that this is a sealed recording of the proceeding, and the minutes will be sealed in the Court file. Court stated that the purpose of this hearing is to ensure the defendant is fully advised of his right to counsel and any potential conflict Ms. Taylor may have. Court further stated that the Court recently met with Ms. Jennings and Ms. Taylor, and it was determined that it would be prudent to have this hearing.

Court stated that Ms. Taylor is the appointed public defender for Kootenai County, and that Ms. Taylor's name is on nearly all letterhead for the Kootenai County Public Defender's Office, whether she is the acting attorney or not.

Court explained to the defendant that a conflict of interest can arise if counsel currently or previously represents an individual, or if there is some other conflict such that they would need to withdraw. Court stated that this Court generally leaves the issue of conflict and the decision if it is necessary to withdraw to each attorney on a case by case basis, and to allow counsel time to discuss this decision with the individual they are representing. Court stated that based upon discussion with counsel this morning it is the Court's understanding that the defendant is in agreement with Ms. Taylor continuing to represent him, and further stated that it is the Court's understanding that Ms. Taylor does not believe there is a conflict. The defendant stated that this is correct.

12:51 PM Ms. Taylor stated that her name appears on every document in the public defender's office, but below her name is the individual who actually represents the named individual in the case. Ms. Taylor stated the specific issue with the media has brought attention to

Jennifer Oliphant Court Minutes Page 1 are two cases involving Xana Kernodle's mother, Ms. Kernodle; Ms. Taylor stated that there was an open felony case that she was not assigned to and the case has since been conflicted out.

Ms. Taylor further stated that there was a 2017 Misdemeanor case, which was sentenced, and her office was waiting to withdraw from. Ms. Taylor stated that the public defender who represented Ms. Kernodle in that matter was who left the PD's office in September or October. Ms. Taylor stated that her practice is to transfer all cases that are pending withdrawal or have a bench warrant issued to her. Ms. Taylor stated that the 2017 case was assigned to her on October 20, and from October 20 until the date she withdrew Ms. Taylor stated that she had no contact or relationship with Ms. Kernodle, and has not met her or provided any legal advise. Ms. Taylor stated that most of what the media is reporting on regarding the Kootenai County cases is untrue.

Ms. Taylor stated that she has spoken with Bill Thompson and Ashley Jennings, and explained the above situation to them. Ms. Taylor stated that she has spoken with at the ISB Bar Counsel's Office, who conferred with and and all three do not believe that there is a conflict, so long as the defendant is comfortable with her remaining on as counsel. Ms. Taylor stated that there is no other person that she is connected to in this case, and stated that Mr. Kohberger is the only individual in this case to whom she owes a duty of advocacy and loyalty.

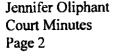
12:54 PM Upon inquiry from the Court, Ms. Jennings stated that this is her understanding as well.

Court questioned the defendant. The defendant stated that given the information he has heard and the conversations he has had with Ms. Taylor he feels comfortable proceeding with her as counsel.

12:55 PM Court advised the defendant of his right to have an attorney, and if he believes there is a conflict the Court can find and appoint different counsel. The defendant stated that he understood. Court questioned the defendant. The defendant stated that it is his wish to proceed with Ms. Taylor as counsel.

12:56 PM Court stated that there is a lot of speculation surrounding this case, and has spoken with the attorneys regarding staying focused on the facts. Court appreciates this issue being brought to the Court's attention, and stated that this information appropriately covers any concerns.

Court recessed at 1:05 PM.



Filed: 03/07/2023 14:01:21

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

DoorDash Inc. ATTN Legal Department 901 Market St 6th Floor San Francisco CA 94103

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, the court finds it necessary to seal in part and redact the record related to the search warrant because the documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person. I.C.A.R. 32(i)(2)(A). After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant and the Amended Affidavit in Support of Search Warrant be SEALED.
- 2. The Search Warrant, Amended Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 317 2023

Megan E. Marshal Magistrate Judge

In the Matter of the Application for a Search Warrant for

DoorDash Inc.
ATTN Legal Department
901 Market St
6th Floor
San Francisco CA 94103
Email:

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 8, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this am day of December, 2022. @ 11:03 am

Magistrate Judge

Magistrate Judge

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

1

REDACTED

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

DoorDash Inc. ATTN Legal Department 901 Market St 6th Floor San Francisco CA 94103 Email:

MPD Case No. 22-M09903

Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

REDACTED

- Interfere with enforcement proceedings; 1.
- Constitute an unwarranted invasion of personal privacy, 2.
- Disclose the identity of a confidential source; and 3.
- Disclose investigative techniques and procedures. 4.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the A	pplication) Case No. CR29-
For a Search Warrant)
)
DoorDash Inc.)
ATTN Legal Departr	nent) RETURN OF
901 Market St) SEARCH WARRANT
6th Floor)
San Francisco CA 94	103)
)
MPD Case No. 22-M	09903	_)
STATE OF IDAHO)	
STATE OF IDATIO	:ss.	
County of Lotah	.55.	
County of Latah)	

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 9:00 o'clock a.m., this 9th day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/08/2022 (Date)

Peace Officer

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF ID	OAHO) :ss.	
County of Lata		
I, Law	rence Mowery, being duly s	worn, do hereby state the following information is true and
correct to the b	pest of my knowledge and b	elief:
(1)	That I am employed by Mo	scow Police Department in the official position of Forensic
	Detective;	
(2)		d and qualified peace office for 12 years;
(3)		earch warrant for DoorDash;
(4)		12/6/22, by email (fax, email, etc);
(5)	On 12/7/2022, I received a	an e-mail from DoorDash which contained the requested
	information;	
(6)		d for all the items received; and
(7)		was placed into evidence at the Latah County Sheriff's
	-	ce Department/Idaho State Police.
FURT	HER your Affiant sayeth n	ot.
		LAWRENCE MOWERT
		Affiant
I certi	fy (or declare) under penal	ty of perjury pursuant to the law the State of Idaho that
the foregoing	is true and correct.	
		L500/62
<u>12/08</u> (Date	<u>/2022</u>)	(Signature)

IN THE MATTER OF	Case No
THE APPLICATION FOR A SEARCH WARRANT FOR	
DoorDash Inc.	RECEIPT AND
	INVENTORY OF WARRANT
901 Market St; 6th floor	
San Francisco, CA 94103	
On the 6 day of December	, 20 <u>22</u> , at approximately <u>3:35</u> o'clock <u>P</u> .M.,
the following peace officers: Detective Lawn	rence Mowery
X	
served the Search Warrant heretofore issued	upon the place and/or person(s) described therein as
	as obtained by:
The person(s) found in said place were:	
The property found and taken and the loc	ation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
1122 King Rd	

RECEIPT AND INVENTORY

PAGE 1 OF 2 PAGES

					_	
	-					
A copy hereof was given	to the follow	ing named p	erson(s) on the			_ day of
	, 20	<u></u> ;				
· · · · · · · · · · · · · · · · · · ·	·					
			<u></u>			
A copy hereof was left o	n this date in a	a conspicuou	s place in the p	lace sear	ched, there	being no
						-
person(s) present during sai	a search:			-		
DATED this8	J C	Dogomb	.0*	20.22		
IIAIHIITNIQ X	aay oi	Decemi				
DATED this			10		11 2	
		<u> </u>	JE.	~	162	
		<u>_</u>	EACE OFFICE	ER	162	/
WITNESS		_ _	E AC E OFFICI	ER		
	n(s) hereby acl	 P knowledge re	E AC E OFFICI	ER		_ day of
WITNESS The undersigned person	n(s) hereby acl		E AC E OFFICI	ER		_ day of
WITNESS The undersigned person			E AC E OFFICI	ER		_ day of

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
ISB No.8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
DoorDash Inc.)	
ATTN Legal Department)	ORDER
901 Market St)	
6th Floor)	
San Francisco CA 94103)	
	·)	
MPD Case No. 22-M09903)	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

ORDER 1

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any

person or laboratories for the purpose of conducting or obtaining any tests, analysis, or

identification of said property which is deemed necessary by the custodial law enforcement agency

2

or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/9/22 6 11:03 am.

Megan E. Marshall Magistrate Judge

ORDER

In the Matter of the Application for a Search Warrant for:

DoorDash Inc. ATTN Legal Department 901 Market St 6th Floor San Francisco CA 94103 Email:

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the investigation of the November 13, 2022, homicides that occurred at 1122 King Road in Moscow, Idaho, to include:

- all information in your possession or control related to sales, deliveries, purchases, and/or transactions made to 1122 King Road, Moscow, Idaho 83843 for the period of January 1, 2022 to present, to include:
 - o date and time of sales;
 - o date and time of deliveries;
 - o purchases and/or transactions;
 - o name and identification of the driver;
 - o a full description of the vehicles used;
 - o any and all communications between drivers and the purchasers;

REDACTED

located in or upon the following described premises, located in Latah County, State of Idaho:

DoorDash Inc. ATTN Legal Department 901 Market St 6th Floor San Francisco CA 94103 Email:

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for
the property described above, TO SEIZE it if found and bring it promptly before the Court above
named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE
AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41
"daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time).

GIVEN UNDER MY HAND and DATED this 6th day of December, 2022, at 3:14 p .m.

Magan Marshall
Magistrate Judge

Filed: 03/07/2023 13:59:00

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Extreme Networks 6480 Via Del Oro San Jose, CA 95119

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2023

Megan E. Marshall

Magistrate Judge

In the Matter of the Application for a Search Warrant for

Extreme Networks 6480 Via Del Oro San Jose, CA 95119 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and throughout the entirety of CR29-22-2805, or further order of the Court, whichever occurs first.

SO ORDERED this 25th day of January, 2023. C 4:42 pm.

Magistrate Judge

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Extreme Networks 6480 Via Del Oro San Jose, CA 95119 Case No. CR29-22-2805

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Deprive a person of a right to a fair trial or an impartial adjudication;
- 3. Constitute an unwarranted invasion of personal privacy,
- 4. Disclose the identity of a confidential source; and/or
- 5. Disclose investigative techniques and procedures.

And the State seeks this protection throughout the entirety of CR29-22-2805.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 24 day of January, 2023.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246

ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application) Case No. CR29-
for a Search Warrant for:)
Extreme Networks) RETURN OF SEARCH WARRANT
6480 Via Del Oro)
San Jose, CA 95119)
MPD Case No. 22-M09903	<u> </u>
STATE OF IDAHO)	
:ss.	
County of Latah)	

I, Lawrence Mowery, do certify the warrant was served via email by Det Neil Uhrig of the Post Falls Police Department, and the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 2 o'clock p.m., this 25 day of January, 2023.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

<u>1/25/2023</u> (Date)

REDACTED

Peace Officer

AFFIDAVIT OF DET. LAWRENCE MOWERY

STATE OF IDAHO)
	:SS
County of Latah)

I, Lawrence Mowery, being duly sworn, do hereby state the following information is true and correct to the best of my knowledge and belief:

- (1) That I am employed by the Moscow Police Department in the official position of Detective;
- (2) Affidavit has been a trained and qualified peace office for 12 years;
- (3) I currently work the day shift, 7:00 a.m. to 5:00 p.m.;
- (4) On December 12, 2022, I obtained a search warrant for Extreme Networks;
- (5) The warrant was served on December 12, 2022, via email
- (6) On December 14, 2022, I received an email from Det Neil Uhrig of the Post Falls

 Police Department stating he received the data to unlock the laptop;
- (7) Det Uhrig completed a forensic download of the data on the laptop;
- (8) A copy of the inventory receipt was emailed to and
- (9) The data from the laptop was placed into evidence at Moscow Police Department. FURTHER your Affiant sayeth not.

<u>Detective Lawrence Mowery - 162</u> Affiant

I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

<u>1/25/2023</u> (Date)

(Signature)

IN THE MATTER OF	Case No.
THE APPLICATION FOR A SEARCH WARRANT FOR	
Extreme Networks	RECEIPT AND
6480 Via Del Oro	INVENTORY OF WARRANT
San Jose, CA 95119	
On the 12 day of December	, 2022, at approximately 1519 o'clock P.M.,
	Mowery and Det Neil Uhrig (Post Falls Police Dept)
The person(s) found in said place were:	vas obtained by: email
The property found and taken and the loc as follows:	eation within or upon said place and/or person(s) are
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Decrypted access to the following computer:	
EXTREME NETWORKS, SERVICE TAG:	

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
	
7	
	
	/ N

This Receipt and Inventory was	made in the presence of:
A copy hereof was given to the f	Following named person(s) on the day of
	, 20;
	nte in a conspicuous place in the place searched, there being no
DATED this 25 day of _	<u>January</u> , 20 <u>23</u> .
	D. V. 162
WITNESS	Det Lawrence Mowery - 162 PEACE OFFICER
The undersigned person(s) here	by acknowledge receiving a copy hereof on this day of
	; 20:

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Extreme Networks)	
6480 Via Del Oro)	ORDER
San Jose, CA 95119)	
)	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 1/25/2023 p 4:41 pm.

Megan E. Marshall Magistrate Judge

In the Matter of the Application)	Case No. CR29-
for a Search Warrant for:)	
)	
Extreme Networks)	SEARCH WARRANT
6480 Via Del Oro)	
San Jose, CA 95119)	
)	
MPD Case No. 22-M09903)	

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe property consisting of there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the investigation of homicides that occurred at 1122 King Road in Moscow, Idaho including:

 Decrypted access to the following computer: EXTREME NETWORKS, SERVICE TAG:
 , registered
in the name of KAYLEE GONCALVES;

located in or upon the following premises:

Extreme Networks 6480 Via Del Oro San Jose, CA 95119

SEARCH WARRANT

REDACTED

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and to bring it promptly before the Court above named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time), AND UNDER THE FOLLOWING SPECIAL DIRECTIONS:

EXTREME NETWORK SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.

GIVEN UNDER MY	HAND	and	DATED	this	12th	_ day	of ?	December,	2022, a
7/		_			Mega	n C	W	tarshall	<u> </u>
					Magistrat	e Judg	ge		

In the Matter of the Application for a Search Warrant for Case No.

ORDER FOR EXTENSION TO RETURN SEARCH WARRANT

Extreme Networks 6480 Via Del Oro San Jose, CA 95119

MPD Case No. 22-M09903

The above matter having come before the Court based upon the motion of the State, and good cause appearing:

IT IS HEREBY ORDERED that the time for which the above referenced search warrant shall be returned is extended to March 22, 2023.

SO ORDERED this 12/23/22

Magistrate Judge

CERTIFICATE OF DELIVERY

	ue and correct copies of the ORDER FOR WARRANT were served on the following in the
William W. Thompson, Jr. Latah County Prosecuting Attorney Latah County Courthouse Moscow, ID 83843	☐ Mailed ☐ E-filed & Served / E-mailed ☐ Faxed ☑ Hand Delivered
Dated 12 23 22	
	TONYA DODGE Latah County Clerk of the Court

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search

Case No.

Application for a Search

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

Extreme Networks 6480 Via Del Oro San Jose, CA 95119

MPD Case No. 22-M09903

The State of Idaho by and through Ashley S. Jennings, Latah County Sr. Deputy Prosecuting Attorney, moves this Court for an order extending the time for returning the above referenced search warrant which was issued on the 12th day of December, 2022 The search warrant was directed by the Court to be served within fourteen (14) days of issuance during business hours. The warrant was served by Detective Lawrence Mowery on the 12th day of December, 2022, by email. However, as of this date, the information has not been received.

Although the warrant was executed within the fourteen (14) day timeframe directed by

I.C. 19-4412, the State is not able to comply with the timeframe within which to return the warrant and provide a written inventory. Accordingly, the State requests an extension of time for the return of the search warrant.

RESPECTFULLY SUBMITTED this Miday of December, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

Filed: 03/07/2023 14:05:56

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Google LLC and/or Google Payment Corp. 1600 Amphitheatre Parkway Mountainview, CA 94043

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Google LLC and/or Google Payment Corp. 1600 Amphitheatre Parkway Mountainview, CA 94043

MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 21, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/23/22 6 2:42 pm

Magistrate Judge

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

Google LLC and/or Google Payment Corp. 1600 Amphitheatre Parkway Mountainview, CA 94043

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this Maday of December, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Afor a Search Warrant		Case No. CR29-		
Google LLC and/or C 1600 Amphitheatre P Mountainview, CA 9		RETURN OF SEARCH WARRAN		
MPD Case No. 22-M	09903			
STATE OF IDAHO) :ss.			
County of Latah)			

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 9:00 o'clock a.m., this 22nd day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/22/2022 (Date)

Peace Officer

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF II	ОНА) :ss.				
County of Lat	ah)				
I, Law	rence M	Iowery, bei	ng duly swo	rn, do hereb	y state	the following information is true and
correct to the	best of r	ny knowle	dge and beli	ef:		
(1)	That I	am employ	ed by Mosco	ow Police D	epartm	ent in the official position of Forensic
	Detect	tive;				
(2)	Affida	vit has bee	n a trained a	ınd qualified	l peace	office for Twelve (12) years;
(3)	On De	ecember 4,	2022, I obta	ined a searc	h warr	ant for Google;
(4)	The w	varrant was	served on D	ecember 5,	2022,	by email (fax, email, etc);
(5)	On D	ecember 1	9, 2022, I	received an	e-mai	l from Google which contained the
	reque	sted inform	nation;			
(6)	An in	ventory wa	as prepared f	or all the ite	ms rec	eived; and
(7)	The i	nformation	received wa	s placed into	evide	nce at the Moscow Police Department.
FUR'	THER y	our Affian	t sayeth not.			
				KU_]	Lawrence Mowery
						Affiant
I cer	ify (or	declare) un	der penalty	of perjury p	oursuar	nt to the law the State of Idaho that
the foregoin	g is true	and corre	ct.			
	o (0.000				15	n 167
<u>12/2:</u> (Dat	<u>2/2022</u> e)			-0		(Signature)
\ —	,					

IN THE MATTER OF THE APPLICATION FOR A SEARCH WARRANT FOR	Case No.
Google LLC and/or Google Payment Corp.	RECEIPT AND
1600 Amphitheatre Parkway	INVENTORY OF WARRANT
Mountainview, CA 94043	
On the 5th day of December	, 2022, at approximately 4:46 o'clock P.M.,
	vrence Mowery
	was obtained by:
The property found and taken and the loas follows:	ocation within or upon said place and/or person(s) are
DESCRIPTION OF PROPERTY	LOCATION/PERSON
DESCRIPTION OF LIGHT 1	

This Receipt and Inventory v	vas made in the presence of:	
	he following named person(s) on the	day of
person(s) present during said se	is date in a conspicuous place in the place so arch: of	
WITNESS	PEACE OFFICER	
The undersigned person(s)	nereby acknowledge receiving a copy hereo	of on this day of

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
ISB No.8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Google LLC and/or Google Payment Corp.)	ORDER
1600 Amphitheatre Parkway)	
Mountainview, CA 94043)	
)	
MPD Case No. 22-M09903	_)	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/23/22 & 2:42 pu

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for:)	Case No. CR29-
Google LLC and/or Google Payment Corp. 1600 Amphitheatre Parkway Mountainview, CA 94043)))	SEARCH WARRANT
MPD Case No. 22-M09903) _)	·

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime of homicide on the Google account of Kaylee Goncalves with the email address

("Account") from August 1, 2022 to November 19, 2022, for all business records and subscriber information, in any form kept, pertaining to the Account, including:

- a. Names (including subscriber names, user names, and screen names);
- b. Addresses (including mailing addresses, residential addresses, business addresses, and email addresses, including alternate and recovery email addresses);

REDACTED

- c. Telephone numbers, including SMS recovery and alternate sign-in numbers;
- d. Records of session times and durations, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions, including log-in IP addresses;
- e. Telephone or instrument numbers or other subscriber numbers or identities, including any temporarily assigned network address, SMS recovery numbers, Google Voice numbers, and alternate sign-in numbers
- f. Length of service (including start date and creation IP) and types of service utilized;
- g. Means and source of payment (including any credit card or bank account number); and
- h. Change history;
- The contents of all emails associated with the account, including stored or
 preserved copies of emails sent to and from the account, draft emails, the source
 and destination addresses associated with each email, the date and time at which
 each email was sent, and the size and length of each email;
- j. All records or other information stored by an individual using the account, including address books, contact and buddy lists, calendar data, pictures, and files; and
- k. All records pertaining to communications between the Provider and any person regarding the account, including contacts with support services and records of actions taken;

located at the following premises:

Google 1600 Amphitheatre Parkway Mountain View, CA 94043

and operates the publicly accessible website https://plus.google.com.

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within __7__ days of issuance, and is authorized for daytime or nighttime service (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, GOOGLE IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

GOOGLE SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY H	AND and	DATED	this	5th	_ day of	December,	2022, 8	1
	11:59		<u>a</u> .m.							
						Mega	n EN	Narshall	V	
						Magistrat	e Judge			

In the Matter of the Application for a Search Warrant for

Google LLC and/or Google Payment Corp. 1600 Amphitheatre Parkway Mountainview, CA 94043

MPD Case No. 22-M09903

Case No.

ORDER FOR EXTENSION TO RETURN SEARCH WARRANT

The above matter having come before the Court based upon the motion of the State, and good cause appearing:

IT IS HEREBY ORDERED that the time for which the above referenced search warrant shall be returned is extended to March 20, 2023.

SO ORDERED this 12/20/220 2:33 pm

Magistrate Judge

CERTIFICATE OF DELIVERY

	ue and correct copies of the ORDER FOR WARRANT were served on the following in the
William W. Thompson, Jr. Latah County Prosecuting Attorney Latah County Courthouse Moscow, ID 83843	☐ Mailed ☐ E-filed & Served / E-mailed ☐ Faxed ☐ Hand Delivered
Dated 12 20 22	
	TONYA DODGE Latah County Clerk of the Court By:
	Penuty Clerk

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

Google LLC and/or Google Payment Corp. 1600 Amphitheatre Parkway Mountainview, CA 94043

MPD Case No. 22-M09903

The State of Idaho by and through Ashley S. Jennings, Latah County Sr. Deputy Prosecuting Attorney, moves this Court for an order extending the time for returning the above referenced search warrant which was issued on the 5th day of December, 2022 The search warrant was directed by the Court to be served within fourteen (14) days of issuance during business hours. The warrant was served by Detective Lawrence Mowery on the 5th day of December, 2022, by email. However, as of this date, the information has not been received.

Although the warrant was executed within the fourteen (14) day timeframe directed by

I.C. 19-4412, the State is not able to comply with the timeframe within which to return the warrant and provide a written inventory. Accordingly, the State requests an extension of time for the return of the search warrant.

RESPECTFULLY SUBMITTED this ______day of December, 2022.

ASHLEY S. JI

Sr. Deputy Prosecuting Attorney

Filed: 03/07/2023 14:03:40

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Google LLC and/or Google Payment Corp. 1600 Amphitheatre Parkway Mountainview, CA 94043

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (E) and I.C. §74-124(1)(b), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) It is necessary to preserve the right to a fair trial.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2023

Megan E. Marshal Magistrate Judge



In the Matter of the Application for a Search Warrant for

Google LLC and/or Google Payment Corp. 1600 Amphitheatre Parkway Mountainview, CA 94043

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until April 5, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 4 day of January, 2023. O 6-18 pm

Magistrate Judge

In the Matter of the Application for a Search Warrant for Case No.

Google LLC and/or Google Payment Corp. 1600 Amphitheatre Parkway Mountainview, CA 94043 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 4 day of January, 2023.

ASHLEY S. JENNINGS V Sr. Deputy Prosecuting Attorney LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246

ISB No. 8491

paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Ap	Case No. CR29-		
for a Search Warrant f	or:)	
Google LLC)	
1600 Amphitheatre Pa	arkway)	RETURN OF
Mountainview, CA 94	1043)	SEARCH WARRANT
)	
MPD Case No. 22-MO	9903)	
STATE OF IDAHO)		
	:ss.		
County of Latah)		

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

<u>1/4/2023</u> (Date)

Peace Officer

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE O	
County of	:ss. Latah)
I, I	Lawrence Mowery, being duly sworn, do hereby state the following information is true and
correct to t	the best of my knowledge and belief:
(1)	That I am employed by Moscow Police Department in the official position of Forensi
	Detective;
(2)	Affidavit has been a trained and qualified peace office for 12 years;
(3)	On January 3, 2023, I obtained a search warrant for data associated with the Gmai
	account of
(4)	The warrant was served on January 3, 2023, by logging into the Google Lav
	Enforcement Portal;
(5)	On January 4, 2023, I received an e-mail from Google instructing me to login and
	download the data obtained pursuant the warrant;
(6)	An inventory was prepared for all the items received; and
(7)	The information received was placed into evidence at the Moscow Police Departmen
FU	JRTHER your Affiant sayeth not.
	Lawrence Mowery - 162
Ιc	Affiant certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that
	ping is true and correct.
	Ay-
(D	

IN THE MATTER OF	Case No.
THE APPLICATION FOR A SEARCH WARRANT FOR	
	RECEIPT AND
Google LLC	INVENTORY OF WARRANT
1600 Amphitheatre Parkway	
Mountainview, CA 94043	
On the 3 day of January	, 2023, at approximately 1517 o'clock P.M.,
the following peace officers: Det Lawrence	Mowery
60	
served the Search Warrant heretofore issued	l upon the place and/or person(s) described therein as
	vas obtained by: 1
anotice in blue source with an array	
The person(s) found in said place were:	
The person (c) to use the person party	
	N
The property found and taken and the loc	cation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Data related to the Google Account:	
Data Telated to the Google Floodate.	
	

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
7/	

A copy hereof was given to the following	ng named person(s) on the day
	_
A copy hereof was left on this date in a	conspicuous place in the place searched, there being
A copy hereof was left on this date in a terson(s) present during said search:	conspicuous place in the place searched, there being
	conspicuous place in the place searched, there being
person(s) present during said search:	
person(s) present during said search:	January , 20 <u>23</u> .
person(s) present during said search:	
person(s) present during said search: DATED this4 day of	January , 20 23 . Lawrence Mowery
DATED this 4 day of	January , 20 23 . Lawrence Mowery PEACE OFFICER
DATED this day of WITNESS The undersigned person(s) hereby ack	January, 20 23 Lawrence Mowery PEACE OFFICER chowledge receiving a copy hereof on this day
DATED this 4 day of	January, 20 23 Lawrence Mowery PEACE OFFICER chowledge receiving a copy hereof on this day
DATED this day of WITNESS The undersigned person(s) hereby ack	January, 20 23 Lawrence Mowery PEACE OFFICER chowledge receiving a copy hereof on this day

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application) Case No.
for a Search Warrant for:)
)
Google LLC and/or Google Payment Corp.) ORDER
1600 Amphitheatre Parkway)
Mountainview, CA 94043)
)
MPD Case No. 22-M09903	_)

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 1/4/230 4:18 pu

Megan E. Marshall
Magistrate Judge

ORDER 2

In the Matter of the Application)	Case No. CR29-22-2805
for a Search Warrant for:)	
)	
Google LLC and/or Google Payment Corp.)	SEARCH WARRANT
1600 Amphitheatre Parkway)	
Mountainview, CA 94043)	
)	
MPD Case No. 22-M09903)	

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the investigations into the crime(s) of homicide at 1122 King Road, Moscow, Idaho on the Google account of Bryan C. Kohberger with any of the following identifiers: email address of and/or any Google Account(s) associated with the following telephone numbers and/or or any Google Account(s) associated with the following International Mobile Equipment Identifier:

, for all business records and subscriber information, in any form kept, pertaining to the Account, between January 1, 2021 to December 30, 2022, including:

REDACTED

- Google Account subscriber information, as defined in 18 U.S.C. § 2703(c)(2);
- Google Account recent activity logs and connected devices;
- Google email messages (Gmail) including drafts and those in the trash;
- Google Pay- Account information and transactions;
- Calendar-calendar events:
- Contacts people contact files;
- Photos- photos, videos and albums, and associated metadata;
- Drive- documents, spreadsheets, presentations and files, and associated metadata;
- Keep- titles and the notes;
- Hangouts and Chats- messages, including attachments such as photos;
- Location History- location data and deletion records;
- My activity- searches and browsing history, including activity from Web & App Activity, Google Assistant, and Google Home;
- Google Voice-Google Voice information, including Google Voice basic subscriber information, call logs, forwarding number, text messages, and voicemails;
- YouTube- Registration email, channel ID, display name, IP logs, and account registration information;
- Android- records for Android Devices, to include subscriber information, other associated accounts, cellular carrier information, and device/hardware information;
- Google Play- Google Play purchases made and Google Play applications downloaded;

located at the following premises:

Google LLC and/or Google Payment Corp. 1600 Amphitheatre Parkway Mountain View, CA 94043

and operates the publicly accessible website https://plus.google.com.

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within <u>14</u> days of issuance, and is authorized for daytime or nighttime service (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, GOOGLE IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

GOOGLE SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY HAND p	and .m.	DATED	this	3rd	_ day	of Janua	ry, 2023,	, at
						<i>Megas</i> Magistrate		Marsh	fall	_

Filed: 03/07/2023 14:08:42

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Case No. CR29-22-2805

Inland Cellular 960 West Pullman Rd Moscow, ID 83843

ORDER TO SEAL AND REDACT

MPD Case No. 22-M0990

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and I.C. §74-124(1)(e), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) Production of such records would disclose investigative techniques and procedures.

 After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Inland Cellular 960 West Pullman Rd Moscow, ID 83843

Latah County, Idaho MPD Case No. 22-M09903 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until February 16, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this ___19th_ day of November, 2022.



LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Inland Cellular 960 West Pullman Rd Moscow, ID 83843

Latah County, Idaho MPD Case No. 22-M09903 Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

- 1. Interfere with enforcement proceedings;
- 2. Constitute an unwarranted invasion of personal privacy,

- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 18th day of November, 2022.

ASHLEY S. JHNNINGS
Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE MICHAEL G. CAVANAGH DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No. 7427 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	
For a Search Warrant for:)	Case No.
Inland Cellular)	RETURN OF
960 West Pullman Road)	SEARCH WARRANT
Moscow, Idaho 83843)	
MPD Case No. 22-M09903		
STATE OF IDAHO)		
:ss.		
County of Latah)		

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

11/17/2022 (Date) Reace Officer

AFFIDAVIT OF (OFFICER)

STATE OF IDAHO)
	:ss
County of Latah)

I, Lawrence Mowery, being duly sworn, do hereby state the following information is true and correct to the best of my knowledge and belief:

- (1) That I am employed by the Moscow Police Department in the official position of Detective;
- (2) Affidavit has been a trained and qualified peace office for 12 years;
- (3) I currently work the day shift, 7:00 a.m. to 5:00 p.m.;
- (4) On November 16, 2022, I obtained a search warrant for Inland Cellular Tower Records;
- (5) The warrant was served on November 17, 2022, via email to

1 at 1044 hours;

- (6) On November 17, 2022, I received an email containing the requested data;
- (7) A copy of the inventory receipt was emailed to:

i; and

(8) The information received was placed into evidence at Moscow Police Department.

FURTHER your Affiant sayeth not.

<u>Detective Lawrence Mowery - 162</u> Affiant

I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

November 17, 2022 (Date)

(Signature

IN THE MATTER OF) Case No
THE APPLICATION	
FOR A SEARCH WARRANT FOR) RECEIPT AND
Case # 22-M09903) INVENTORY OF WARRANT
Inland Cell Tower Data	_)
On the 17 day of November, 2022,	at approximately 1044 o'clock A.M.,
The following peace officers: Det Lawren	ce Mowery
The following peace officers.	
Served the Search Warrant heretofore iss	ued upon the place and/or person(s) described
Therein as directed in said Search Warrant. Er	
i nerem as directed in said Search Waltani. Li	itialice was obtained by. Linaii
The person(s) found in said place were:	
Y	
The property found and taken and the loca	tion within or upon said place and/or person(s)
are as follows:	
are as follows.	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Data Records associated with	
Data Records associated with	
Inland Tower Data Dump	
	1 OF C PACES
RECEIPT AND INVENTORY	1 OF 2 PAGES
PAGE	

This Receipt and Inventory was made in the	presence of: n/a
A copy hereof was given to the following n	named person(s) on theiay of
,20 ;	
	conspicuous place in the place searched, there
peing no person(s) present during said search:	Email
page at the land New	2022
DATED this 17 day of Nov	emoer, 2022
	<i>A</i> a
(())	FE'S
WITNESS	PEACE OFFICER
The undersigned person(s) hereby acknowle	dge receiving a copy hereof on this day
	auge receiving a copy necess on the
of ,20 :	
	T X X
RECEIPT AND INVENTORY	2 OF 2 PAGES
PAGE	

LATAH COUNTY PROSECUTOR'S OFFICE WILLIAM W. THOMPSON PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.2613 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
Inland Cellular)	ORDER
960 West Pullman Rd)	
Moscow, Idaho 83843)	
)	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

1

ORDER

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 11/19/22 at 7:05 p.m.		
-----------------------------	--	--

Megan E. Marshall
Megan E. Marshall
Magistrate Judge

In the Matter of the Application)	Case No. CR29-
for a Search Warrant for:)	
)	
Inland Cellular)	SEARCH WARRANT
960 W Pullman Rd)	
Moscow, Latah County, Idaho)	
)	
MPD Case No. 22-M09903		

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Detective Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises consists records and information associated with certain cellular towers ("cell towers") and records generated by the cellular network that are in the possession, custody, and/or control of Inland Cellular, hereafter "the Service Provider," a cellular service provider; this data is in possession of the Service Provider and the data may contain evidence of a homicide between November 13, 2022 from 3:00 a.m. to 5:00 a.m. (Pacific Standard Time) including the following:

A. Search of all records and unique device/user identifiers pertaining to Timing
SEARCH WARRANT

1

REDACTED

Advance, Real Time Tool (RTT), Location Database of Record (LocDBoR) location information during the following listed dates, times and geographical boundaries (distance from GPS points):

GPS Coordinates:

Distance from Location: 0.50

miles

Date: November 13, 2022

Time: 3:00 a.m. - 5:00 a.m.

(PST)

- B. For each search area described above, the Service Provider is required to disclose all records and other information (not including the contents of communications) about all communications made and all cellular device interactions with the network that have generated location information that falls within the defined search area during the corresponding timeframe(s) listed above, including records that identify:
 - i. the unique identifiers for each wireless device that generated a Timing Advance, RTT, and/or LocDBoR record within the search area for each location, including Electronic Serial Numbers ("ESN"), Mobile Electronic Identity Numbers ("MEIN"), Mobile Identification Numbers ("MIN"), Subscriber Identity Modules ("SIM"), Mobile Subscriber Integrated Services Digital Network Numbers ("MSISDN"), International Mobile Subscriber Identifiers ("IMSI"), International Mobile Equipment Identities ("IMEI"), and the make and model of the device;
 - ii. the starting and ending date/time of the connection along with the duration;
 - iii. for each communication with the network the tower and the "sector(s)" (i.e. the face(s) of the tower(s)) that received a radio signal from the locally served wireless device for both starting and ending points of the communication;
 - iv. the service type for the communication;
 - v. the estimated latitude and longitude (along with confidence level) and the distance from the tower for both the starting and ending points of the communication contained within the Timing Advance, RTT, and/or LocDBoR records.
- C. These records should include records about communications and cellular device interactions with the network that were initiated before or terminated after the timeframe(s) identified in above if some part of the communication occurred during the relevant timeframe(s) listed above;

The above-described evidence is located within the following described premises:

Inland Wireless 960 West Pullman Road Moscow, Idaho 83843

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within 7 days of issuance, and is authorized for daytime service only (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, INLAND CELLULAR IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

INLAND CELLULAR SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN 9:24	UNDER	MY	HAND p	and m.	DATED	this	16th	day	of	November	, 2022,	at
							Meg.	an (ze	Marsho	ell	

Filed: 03/07/2023 14:38:32

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

KA-BAR Knives, Inc. 200 Homer Street Olean, NY 14760

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D) and I.C. §74-124(1)(c), the court finds it necessary to seal the records related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person;
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals; and
- (3) Disclosure would constitute an unwarranted invasion of personal privacy.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2523

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

KA-BAR Knives, Inc. 200 Homer Street Olean, NY 14760 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 7, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/7/22 P 4:33 py

Magistrate Judge

ORDER SEALING SEARCH
WARRANT AND RELATED DOCUMENTS

1

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

paservice@latah.id.us

Case No.

KA-BAR Knives, Inc. 200 Homer Street Olean, NY 14760 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- Constitute an unwarranted invasion of personal privacy, 2.
- Disclose the identity of a confidential source; and 3.
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this _____ day of December, 2022.

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE WILLIAM W. THOMPSON PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No. 2613 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

)	
In the Matter of the A	pplication		j	Case No. CR29-
For a Search Warrant	for:)	
)	
Ka-Bar Knives, Inc)	RETURN OF
200 Homer Street		•)	SEARCH WARRANT
Olean, NY 14760)	
)	
MPD Case No. 22-M	09903	1)	
	`			
STATE OF IDAHO)			
	:ss.			
County of Latah)			

I, Detective Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 4:00 o'clock p.m., this 5th day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/05/2022 (Date)

Peace Officer

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE	E OF ID	AHO)
County	of Late	iss. ah)
	I, Law	rence Mowery, being duly sworn, do hereby state the following information is true and
correct	to the l	pest of my knowledge and belief:
	(1)	That I am employed by Moscow Police Department in the official position of Forensic
		Detective;
	(2)	Affidavit has been a trained and qualified peace office for 12 years;
	(3)	On 11/29/22, I obtained an amended search warrant for Ka-Bar;
	(4)	The warrant was served on 11/29/2022, by email (fax, email, etc);
	(5)	On 12/02/22, I received an e-mail from Ka-Bar which contained the requested
		information;
	(6)	An inventory was prepared for all the items received; and
	(7)	The information received was placed into evidence at the Moscow Police Department
	FUR1	HER your Affiant sayeth not.
		Lawrence Mowery Affiant
	I certi	fy (or declare) under penalty of perjury pursuant to the law the State of Idaho that
the for	regoing	is true and correct.
	12/05 (Date	/2022 (Signature)
	(L)uit	,

IN THE MATTER OF THE APPLICATION	Case No.
FOR A SEARCH WARRANT FOR	
Ka-Bar Knives Inc.	RECEIPT AND
200 Holmer Street	INVENTORY OF WARRANT
Olean, NY 14760	
On the 29th day of November	, 20 <u>22</u> , at approximately <u>231</u> o'clock <u>P</u> .M.,
the following peace officers: Detective Law	rence Mowery
	vas obtained by:
The property found and taken and the loc	cation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Ka-Bar 1217	_
Ka-Bar 1217S	
Ka-Bar 1218	
Ka-Bar 9128	

DESCRIPTION OF PROPERTY	LOCATION/PERSON
Ka-Bar 9140	<u> </u>
Ka-Bar 9169	
Ka-Bar 9191	
Distribution information regarding Blue Ridge Knives	
Distribution information regarding	<u> </u>
Distribution information regarding	
	/

-				
A copy hereof was given to	the following	g named person(s) on the	day of
	, 20	; ×		
				<u> </u>
A copy hereof was left on the	nic date in a c	onenicuous nlace	e in the place searched	there being no
				mere being ne
person(s) present during said s	earch:			
DATED this 5 da	y of	December	, 20 <u>22</u>	
		1	En 162	
WITNESS		PEACE	E OFFICER	
		-		
				1 4
The undersigned person(s)	hereby acknowledge	owledge receiving	ig a copy hereof on thi	s day of
	, 2	20:		

LATAH COUNTY PROSECUTOR'S OFFICE WILLIAM W. THOMPSON PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.2613 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Ka-Bar Knives, Inc)	
200 Homer Street)	ORDER
Olean, NY 14760)	
)	
MPD Case No. 22-M09903)	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/7/22 6 4:33 plu

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for:

KA-BAR Knives, Inc. 200 Homer Street Olean, NY 14760 Ph: 800-282-0130

Ph: 800-282-0130 KA-BAR.com

Email:

MPD Case No. 22-M09903

Case No.

AMENDED SEARCH

WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises consists of records and documents related to the crime(s) of homicide in the possession or control of KA-BAR Knives, Inc. related to the sales of the following items for the period of January 1, 2022 to present:

- 1. Ka-Bar 1217
- 2. Ka-Bar 1217S

REDACTED

- 3. Ka-Bar 1218
- 4. Ka-Bar 9128
- 5. Ka-Bar 9140
- Ka-Bar 9169
- 7. Ka-Bar 9191
- 8. Distribution information regarding Blue Ridge Knives
- 9. Distribution information regarding
- 10. Distribution information regarding
- 11. Distribution information regarding
- 12. Distribution information regarding
- 13. Distribution information regarding

The records and documents (The terms "records" and "documents" mean any and all tangible forms of expression in your possession, custody, or control, in any language or format, and include, but are not limited to, writings, papers, and tape recordings, electronic video and audio recordings (e.g. video surveillance), microform, electromagnetic recordings, optical recordings, electronic files or records, photographs, drafts, finished versions, originals, and copies, however created, produced, or stored. Video surveillance/images pertaining to account transactions (to include account opening, deposit, withdrawals, etc.) are included with this subpoena request. Supporting information can be provided to help identify surveillance video/images for some of the transactions.) shall include but are not limited to:

- All Open and Closed accounts: all records pertaining to the individuals(s) or business
 entities identified in this letter whether held jointly or severally or as trustee or fiduciary
 as well as custodian, executor or guardian, as well as any other entity in which these
 individual(s) or entities may have a financial interest; includes all accounts in which these
 individuals had signatory authority and/or the right of withdrawal; these records should
 include:
 - Signature cards.
 - Statement Data/Monthly Account Statements.
 - Identification of and name assigned on all Debit Cards on account.

- Deposits and supporting documentation including but not limited to evidence of cash, cancelled deposited checks front and back, transfers from other accounts including full account number and name, and other credit information.
- Checks and other withdrawals including but not limited to cancelled checks front and back, withdrawals and offsets, evidence of cash withdrawals, transfers from other accounts including account number and name, other debit information.
- Wire transfers in and out including wire transfer instructions and evidence of requestor if possible.
- Evidence of cash transactions and identifying information of individuals conducting cash transactions.
- Identification of sender or recipient bank, full account number, and account name on ACH transfers, online transfers, teller transfers, or other transfers.
- Electronic/Internet records: for those customers who engage in online banking with your financial institution, the following information pertaining to that online banking account: usernames or other identifying information for the account; e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter; historical access logs for authentication to the account including Internet Protocol (IP) addresses for this account and date, time and duration of each session.
- Credit Card records (e.g. MasterCard and Visa): including customer's application, signature card, credit or background investigations conducted, correspondence, monthly billing statements, individual charge invoices, repayment records, disclosing the date, amounts and method of repayment, checks used to make repayments (front and back).
- Correspondence: all records of correspondence/communication between the customer and the financial institution relating to the above services or for any other purpose, including customer service inquiries or requests for assistance.
- Other records: all applications, forms, and other written documents completed by the
 customer; records of certified checks, wire transfers, or collections, letter credit, bonds
 and securities purchased through your financial institution, savings bond transaction and
 investment accounts. Such records that disclose the date and amount of the transaction,
 method (cash or check) and source of payment, instruments and statements of
 transactions; all correspondence with the above individual(s)/entities and/or with third
 parties regarding the above individual(s)/entities; all memoranda, notes, files, or records
 relating to meetings or conversations concerning the above individual(s)/entities.

located in or upon the following described premises,

KA-BAR Knives, Inc. 200 Homer Street Olean, NY 14760 Ph: 800-282-0130

KA-BAR.com

Email:

INSTRUCTIONS FOR PRODUCTION OF ELECTRONICALLY (DIGITALLY) STORED RECORDS

Electronic Records

Electronically stored records shall be produced in electronic form and shall include those records held (1) in your record retention systems; and/or (2) by your technology, data, or other service provider(s).

Text Data

Text data relating to transactions (e.g., core data, history file) shall be produced within a data file: (1) using delimited ASCII text data format; or (2) within software that can export without loss of data to a non-proprietary file format; or (3) using commonly readable file format set by agreement.

Text data files relating to transactions produced according to the above shall include field descriptions (e.g., account number, date/time, description, payee/payor, check number, item identifier, and amount).

Image Data

Image data shall be produced in graphic data files in a non-proprietary or commonly readable format with the highest image quality maintained. Image data of items associated with specific transactions (e.g., checks, deposits) shall be: (1) Produced in individual graphic data

files with any associated endorsements; and (2) linked to corresponding text data by a unique identifier.

Encryption/Authentication

Electronically stored records may be transmitted in an encrypted container. Decryption keys shall be produced separately at the time the data are produced. Authentication, such as hash coding, may be set by agreement.

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and bring it promptly before the Court above-named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time), and UNDER THE FOLLOWING SPECIAL DIRECTIONS:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, KA-BAR IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

KA-BAR SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY	HAND	and	DATED	this	29th	day	of	November,	2022,	at
1:51			<u>p</u>	.m.								
			Megan Marshall									
							Magistrate Jud	ge				

In the Matter of the Application for a Search Warrant for:

eBay Inc ATTN Legal Department

Ph: 801-545-1385 Email:

Submit via https://le.corp.ebay.com

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises consists of records and documents related to the crime(s) of homicide in the possession or control of KA-BAR Knives, Inc. related to the sales of the following items for the period of January 1, 2022 to present:

- 1. Ka-Bar 1217
- 2. Ka-Bar 1217S



- 3. Ka-Bar 1218
- 4. Ka-Bar 9128
- 5. Ka-Bar 9140
- 6. Ka-Bar 9169
- 7. Ka-Bar 9191
- 8. Distribution information regarding Blue Ridge Knives
- 9. Distribution information regarding
- 10. Distribution information regarding
- 11. Distribution information regarding
- 12. Distribution information regarding
- 13. Distribution information regarding

The records and documents (The terms "records" and "documents" mean any and all tangible forms of expression in your possession, custody, or control, in any language or format, and include, but are not limited to, writings, papers, and tape recordings, electronic video and audio recordings (e.g. video surveillance), microform, electromagnetic recordings, optical recordings, electronic files or records, photographs, drafts, finished versions, originals, and copies, however created, produced, or stored. Video surveillance/images pertaining to account transactions (to include account opening, deposit, withdrawals, etc.) are included with this subpoena request. Supporting information can be provided to help identify surveillance video/images for some of the transactions.) shall include but are not limited to:

- All Open and Closed accounts: all records pertaining to the individuals(s) or business
 entities identified in this letter whether held jointly or severally or as trustee or fiduciary
 as well as custodian, executor or guardian, as well as any other entity in which these
 individual(s) or entities may have a financial interest; includes all accounts in which these
 individuals had signatory authority and/or the right of withdrawal; these records should
 include:
 - · Signature cards.
 - Statement Data/Monthly Account Statements.
 - Identification of and name assigned on all Debit Cards on account.
 - Deposits and supporting documentation including but not limited to evidence of

- cash, cancelled deposited checks front and back, transfers from other accounts including full account number and name, and other credit information.
- Checks and other withdrawals including but not limited to cancelled checks front and back, withdrawals and offsets, evidence of cash withdrawals, transfers from other accounts including account number and name, other debit information.
- Wire transfers in and out including wire transfer instructions and evidence of requestor if possible.
- Evidence of cash transactions and identifying information of individuals conducting cash transactions.
- Identification of sender or recipient bank, full account number, and account name on ACH transfers, online transfers, teller transfers, or other transfers.
- Electronic/Internet records: for those customers who engage in online banking with your financial institution, the following information pertaining to that online banking account: usernames or other identifying information for the account; e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter; historical access logs for authentication to the account including Internet Protocol (IP) addresses for this account and date, time and duration of each session.
- Credit Card records (e.g. MasterCard and Visa): including customer's application, signature card, credit or background investigations conducted, correspondence, monthly billing statements, individual charge invoices, repayment records, disclosing the date, amounts and method of repayment, checks used to make repayments (front and back).
- Correspondence: all records of correspondence/communication between the customer and the financial institution relating to the above services or for any other purpose, including customer service inquiries or requests for assistance.
- Other records: all applications, forms, and other written documents completed by the customer; records of certified checks, wire transfers, or collections, letter credit, bonds and securities purchased through your financial institution, savings bond transaction and investment accounts. Such records that disclose the date and amount of the transaction, method (cash or check) and source of payment, instruments and statements of transactions; all correspondence with the above individual(s)/entities and/or with third parties regarding the above individual(s)/entities; all memoranda, notes, files, or records relating to meetings or conversations concerning the above individual(s)/entities.

located in or upon the following described premises,

KA-BAR Knives, Inc.

200 Homer Street Olean, NY 14760 Ph: 800-282-0130 KA-BAR.com

Email:

INSTRUCTIONS FOR PRODUCTION OF ELECTRONICALLY (DIGITALLY) STORED RECORDS

Electronic Records

Electronically stored records shall be produced in electronic form and shall include those records held (1) in your record retention systems; and/or (2) by your technology, data, or other service provider(s).

Text Data

Text data relating to transactions (e.g., core data, history file) shall be produced within a data file: (1) using delimited ASCII text data format; or (2) within software that can export without loss of data to a non-proprietary file format; or (3) using commonly readable file format set by agreement.

Text data files relating to transactions produced according to the above shall include field descriptions (e.g., account number, date/time, description, payee/payor, check number, item identifier, and amount).

Image Data

Image data shall be produced in graphic data files in a non-proprietary or commonly readable format with the highest image quality maintained. Image data of items associated with specific transactions (e.g., checks, deposits) shall be: (1) Produced in individual graphic data files with any associated endorsements; and (2) linked to corresponding text data by a unique

identifier.

Encryption/Authentication

Electronically stored records may be transmitted in an encrypted container. Decryption keys shall be produced separately at the time the data are produced. Authentication, such as hash coding, may be set by agreement.

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and bring it promptly before the Court above-named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time), and UNDER THE FOLLOWING SPECIAL DIRECTIONS:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, KA-BAR IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

KA-BAR SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

	UNDER	MY	HAND	and	DATED	this	28th	day of	November,	2022,	a
6:55	<u> </u>		_ <u>P</u>	.m.				Ω n/1	1 00		
							1 legar	711h	MW_		
							Magistrate Judg				

Filed: 03/07/2023 14:56:15

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Match Group, LLC Tinder Records 8750 N Central Expressway, Suite 1400 Dallas, TX 75231

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/1/2013

Megan E. Marshall Magistrate Judge

CLRK OF DIST CT. LATAH

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Match Group, LLC Tinder Records 8750 N Central Expressway, Suite 1400 Dallas, TX 75231

MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 7, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/7/22 P 4:37 PM

Magistrate Judge

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Match Group, LLC Tinder Records 8750 N Central Expressway, Suite 1400 Dallas, TX 75231

MPD Case No. 22-M09903

Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this _____ day of December, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

)	
In the Matter of the A	pplication	ý	Case No. CR29-
For a Search Warrant	for:)	
)	
Match Group, LLC)	RETURN OF
Tinder Records)	SEARCH WARRANT
8750 N Central Expre	ssway, Suite 1400)	
Dallas, TX 75231)	
)	
MPD Case No. 22-M	09903)	
STATE OF IDAHO)		
	:SS.		
County of Latah)		

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 915 o'clock a.m., this 7 day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/07/2022 (Date) REDACTED

Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF IE	·
County of Lata	ah)
•	
I, Law	rence Mowery, being duly sworn, do hereby state the following information is true and
correct to the l	pest of my knowledge and belief:
(1)	That I am employed by Moscow Police Department in the official position of Forensic
	Detective;
(2)	Affidavit has been a trained and qualified peace office for 12 years;
(3)	On 11/29/22, I obtained a search warrant for Tinder;
(4)	The warrant was served on 11/29/2022 by email (fax, email, etc);
(5)	On 12/05//22, I received an e-mail from Tinder which contained the requested
	information;
(6)	An inventory was prepared for all the items received; and
(7)	The information received was placed into evidence at the Moscow Police Department.
FURT	HER your Affiant sayeth not.
	Lawrence Mowery
I certi	Affiant fy (or declare) under penalty of perjury pursuant to the law the State of Idaho that
	is true and correct.
12/07	12022 LEN 162
(Date)	

IN THE MATTER OF THE APPLICATION FOR A SEARCH WARRANT FOR	Case No.
Match Group, LLC / Tinder Records 8750 N Central Expressway, Suite 1400	RECEIPT AND INVENTORY OF WARRANT
Dallas, TX 75231	
On the 29 day of November	, 20 <u>22</u> , at approximately <u>1:21</u> o'clock <u>P</u> .M.,
the following peace officers: <u>Detective Law</u>	rence Mowery
The person(s) found in said place were:	vas obtained by:
The property found and taken and the loc as follows:	eation within or upon said place and/or person(s) are
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Kaylee Goncalves	
4818	

This Receipt and Inventory was made in the presence of:
A copy hereof was given to the following named person(s) on the day of, 20;
A copy hereof was left on this date in a conspicuous place in the place searched, there being no person(s) present during said search:
DATED this 7 day of December , 2022. JEN /82
WITNESS PEACE OFFICER
The undersigned person(s) hereby acknowledge receiving a copy hereof on this day of, 20:

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

)	Case No.
)	
)	
)	ORDER
)	
)	
)	
)	
)))))

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

ORDER

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any

person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or

identification of said property which is deemed necessary by the custodial law enforcement agency

or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/7/22 P 4:34 PM.

Megan E. Marshall Magistrate Judge

ORDER 2

In the Matter of the Application) Case No. CR29-
for a Search Warrant for:)
Match Group, LLC) SEARCH WARRANT
Tinder Records)
8750 N. Central Expressway, Suite 1400,)
Dallas, Texas 75231)
)
)
MPD Case No. 22-M09903	

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime of homicide on the Tinder account of Kaylee Goncalves with any of the following Identifiers: Kaylee Goncalves, mobile phone number of 4818, email address(es) and/or generated on or between January 1, 2021 to present; including:

all personally identifying information and adult oriented personal information
associated with the username and retained by the operators of the service including,
by way of example and not limitation, biographical data, geographical location,
electronic mail (email) address, profile information, primary picture, other private
images, pictures, or videos, credit card information, and billing and information;

SEARCH WARRANT

1

REDACTED

- all device identifying information including, by way of example and not limitation, the identifierForVendor number, International Mobile Equipment Identifier (IMEI), and/or Mobile Equipment Identifier;
- all email, and instant message conversations. This shall include the content of all
 messages and all associated electronic files transmitted including, by way of
 example and not limitation, images, videos, and audio files;
- all geolocation data, including by way of example but not limitation, cell site location data, Global Positioning System (GPS) data, and Wi-Fi access point data;
- all internet protocol (IP) addresses and attendant information;
- Subscriber information involving accounts registered.
- all communications content and records, data files, deleted files, e-mail, text
 messages, the content of communications, conversation history, photographs,
 video, notes, or voicemail related to the account(s). This data will also include
 attachments, source, and destination addresses, time and date information, images,
 and any other records;
- Subscriber information, conversation history, photos and videos belonging to account holders communicating with Kaylee Goncalves;

Located at the following premises:

Match Group, LLC Tinder Records 8750 N. Central Expressway, Suite 1400, Dallas, Texas 75231

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within 7 days of issuance, and is authorized for daytime service only (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, MATCH/TINDER IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

MATCH/TINDER SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN UNDER MY	HAND an	d DATED	this 2	29th	day of Nover	mber, 2022, at
5:34	<u>P</u> .m	.		Magistrate	Judge	hall

Filed: 03/07/2023 15:07:40

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Match Group, LLC Tinder Records 8750 N Central Expressway, Suite 1400 Dallas, TX 75231

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Match Group, LLC Tinder Records 8750 N Central Expressway, Suite 1400 Dallas, TX 75231

MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 8, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/9/22 0 10:50 am

Magistrate Judge

LATAH COUNTY PROSECUTOR'S OFFICE **ASHLEY S. JENNINGS** SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

paservice@latah.id.us

Match Group, LLC **Tinder Records** 8750 N Central Expressway, Suite 1400 Dallas, TX 75231

MPD Case No. 22-M09903

Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED **DOCUMENTS**

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- Constitute an unwarranted invasion of personal privacy, 2.
- Disclose the identity of a confidential source; and 3.
- Disclose investigative techniques and procedures. 4.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this May of December, 2022.

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

)	
In the Matter of the A	pplication)	Case No. CR29-
For a Search Warrant)	
)	
Match Group, LLC)	RETURN OF
Tinder Records)	SEARCH WARRANT
8750 N Central Expre	ssway, Suite 1400)	
Dallas, TX 75231)	
·)	
MPD Case No. 22-Mo	09903)	
STATE OF IDAHO)		
	:ss.		
County of Latah)		

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 915 o'clock a.m., this 8 day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/08/2022 (Date)

Peace Officer

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF	DAHO) :ss.
County of La	
I, La	wrence Mowery, being duly sworn, do hereby state the following information is true and
correct to the	e best of my knowledge and belief:
(1)	That I am employed by Moscow Police Department in the official position of Forensic
	Detective;
(2)	Affidavit has been a trained and qualified peace office for 12 years;
(3)	On 12/6/22, I obtained a search warrant for Tinder;
(4)	The warrant was served on 12/6/2022 by email (fax, email, etc);
(5)	On 12/07//22, I received an e-mail from Tinder which contained the requested
	information;
(6)	An inventory was prepared for all the items received; and
(7)	The information received was placed into evidence at the Moscow Police Department.
FUF	RTHER your Affiant sayeth not.
	Lawrence Mowery Affiant
I ce	rtify (or declare) under penalty of perjury pursuant to the law the State of Idaho that
the foregoin	ng is true and correct.
12/0 (Da	08/2022 te) (Signature)

IN THE MATTER OF THE APPLICATION FOR A SEARCH WARRANT FOR	Case No.
Match Group, LLC / Tinder Records	RECEIPT AND
8750 N Central Expressway, Suite 1400	INVENTORY OF WARRANT
Dallas, TX 75231	
On the 6 day of December	, 2022, at approximately 3:27 o'clock P.M.,
the following peace officers: <u>Detective Law</u>	vrence Mowery
	was obtained by:
The property found and taken and the lo	ocation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
1224	

RECEIPT AND INVENTORY

PAGE 1 OF 2 PAGES

A copy hereof was given to t) on the	day of
A copy hereof was left on the				there being no
person(s) present during said se DATED this8 day		December		2
WITNESS	1	PEACE	OFFICER	,
The undersigned person(s)	hereby ack		g a copy hereof on this	s day o

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Match Group, LLC)	ORDER
Tinder Records)	
8750 N Central Expressway, Suite 1400)	
Dallas, TX 75231)	
)	
MPD Case No. 22-M09903)	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/9/22 0 10:510 am.

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for:)	Case No. CR29-
Match Group, LLC)	SEARCH WARRANT
Tinder Records 8750 N. Central Expressway, Suite 1400,)	
Dallas, Texas 75231	Ć	
)	
MPD Case No. 22-M09903		

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the investigation of the crime of homicide on the Tinder account of Madison "Maddie" Mogen with the following IDENTIFIERS:

and/or

phone number -1224; generated on or between January 1, 2021 to present; including:

all personally identifying information and adult oriented personal information
associated with the username and retained by the operators of the service including,
by way of example and not limitation, biographical data, geographical location,
electronic mail (email) address, profile information, primary picture, other private
images, pictures, or videos, credit card information, and billing and information;

SEARCH WARRANT

1

REDACTED

- all device identifying information including, by way of example and not limitation, the identifierForVendor number, International Mobile Equipment Identifier (IMEI), and/or Mobile Equipment Identifier;
- all email, and instant message conversations. This shall include the content of all
 messages and all associated electronic files transmitted including, by way of
 example and not limitation, images, videos, and audio files;
- all geolocation data, including by way of example but not limitation, cell site location data, Global Positioning System (GPS) data, and Wi-Fi access point data;
- all internet protocol (IP) addresses and attendant information;
- Subscriber information involving accounts registered.
- all communications content and records, data files, deleted files, e-mail, text
 messages, the content of communications, conversation history, photographs,
 video, notes, or voicemail related to the account(s). This data will also include
 attachments, source, and destination addresses, time and date information, images,
 and any other records;
- Subscriber information, conversation history, photos and videos belonging to account holders communicating with Madison Mogen;

Located at the following premises:

Match Group, LLC Tinder Records 8750 N. Central Expressway, Suite 1400, Dallas, Texas 75231

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within 7 ____ days of issuance, and is authorized for daytime service only (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, MATCH/TINDER IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

MATCH/TINDER SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY	HAND	and	DATED	this	6th		_ day	of D	ecember,	2022,	at
3:17			<u> </u>	m.									
								Meg	an	<u>-</u> n	<u>Narsha</u>	ll	
							N	lagistrate	e Jude	<u>e</u>			

Filed: 03/07/2023 15:09:29

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Match Group, LLC Tinder Records 8750 N Central Expressway, Suite 1400 Dallas, TX 75231

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D) and I.C. §74-124(1)(c), the court finds it necessary to seal the records related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person;
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals; and
- (3) Disclosure would constitute an unwarranted invasion of personal privacy.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Match Group, LLC Tinder Records 8750 N Central Expressway, Suite 1400 Dallas, Texas 75231 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and throughout the entirety of case CR29-22-2805 or further order of the Court, whichever occurs first.

SO ORDERED this 2 day of February, 2023. C 4:33 M

Magistrate Judge

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Match Group, LLC Tinder Records 8750 N Central Expressway, Suite 1400 Dallas, Texas 75231

MPD Case No. 22-M09903

Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Deprive a person of a right to a fair trial or an impartial adjudication;
- 3. Constitute an unwarranted invasion of personal privacy,
- 4. Disclose the identity of a confidential source; and/or
- 5. Disclose investigative techniques and procedures.

And the State seeks this protection throughout the entirety of case CR29-22-2805.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this Md day of February, 2023.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the A)	Case No. CR29-		
for a Search Warrant	or:)	DETERM OF SEARCH W	TIAGGAN	
Match Group, LLC)	RETURN OF SEARCH WARRAN		
Tinder Records)			
8750 N. Central Expr	essway, S	Suite 1400)			
Dallas, Texas 75231)			
MPD Case No. 22-M	09903	4	_)			
STATE OF IDAHO)				•	
	:ss.					
County of Latah)					

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 1:00 o'clock a.m., this 30th day of January, 2023.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

1/30/2023 (Date)

Peace Officer

REDACTED

AFFIDAVIT OF DET. LAWRENCE MOWERY

STATE OF IDAHO)
	:ss
County of Latah)

I, Lawrence Mowery, being duly sworn, do hereby state the following information is true and correct to the best of my knowledge and belief:

- (1) That I am employed by the Moscow Police Department in the official position of Detective;
- (2) Affidavit has been a trained and qualified peace office for 12 years;
- (3) I currently work the day shift, 7:00 a.m. to 5:00 p.m.;
- (4) On December 22, 2022, I obtained a search warrant for Tinder (Match Group);
- (5) The warrant was served on December 22, 2022, via Match Group LE Portal;
- (6) On January 26, 2023, I received an email directing me to a secure download for the requested data;
- (7) On January 30, 2023, I downloaded the data and an inventory was prepared for all the items received;
- (8) A copy of the inventory receipt was emailed to ; and
- (9) The information received was placed into evidence at Moscow Police Department. FURTHER your Affiant sayeth not.

<u>Detective Lawrence Mowery - 162</u> Affiant

I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

<u>January 23, 2023</u> (Date)

Signature)

IN THE MATTER OF	Case No.
THE APPLICATION	
FOR A SEARCH WARRANT FOR	*)
Match Group, LLC (Tinder)	RECEIPT AND
8750 N. Central Expressway, Suite 1400	INVENTORY OF WARRANT
Dallas, Texas 75231	
	1 1 10 PM
On the 22 day of December	, 20 <u>22</u> , at approximately <u>1435</u> o'clock <u>P</u> .M.,
the following peace officers: Det. Lawrence	e Mowery
served the Search Warrant heretofore issued	d upon the place and/or person(s) described therein as
	was obtained by:
directed in said Search warrant. Entrance	was obtained by.
The person(s) found in said place were:	https://www.lert.matchgroup.com/
•	
	X
	and/or nerson(s) are
The property found and taken and the lo	ocation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
DESCRI HON OF TROTERT	
	7 10
	_

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
/	
	-
-	
- —	
· /\ -	
I In i and I doubt from	
Unique Identifiers	

This Receipt and Inver	ntory was made	in the presence of:		
A copy hereof was giv			(s) on the	day of
A copy hereof was left person(s) present during s			e in the place searched,	there being no
DATED this30	day of			
WITNESS			E OFFICER	3
_			ng a copy hereof on thi	s day of
		_, 20:		
				i

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Match Group, LLC)	ORDER
Tinder Records)	
8750 N Central Expressway, Suite 1400)	
Dallas, TX 75231)	
)	
MPD Case No. 22-M09903)	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

ORDER 1

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 2/2/23 0 4:33 pu.

Megan E. Marshall Magistrate Judge

In the Matter of the Application)	Case No. CR29-
for a Search Warrant for:)	
)	
Match Group, LLC)	SEARCH WARRANT
Tinder Records)	
8750 N. Central Expressway, Suite 1400,)	
Dallas, Texas 75231)	
)	
)	
MPD Case No. 22-M09903		

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the investigation of the November 13, 2022 homicides that occurred at 1122 King Road, in Moscow, Idaho to include:

All subscriber information between March 1, 2021, through March 31, 2021, including but not limited to biographical data, geographical location, user name, phone number associated, electronic mail (email) address, profile information, primary picture, other private images, pictures, or videos, credit card information, and billing and information for the following UID accounts:

0

0

SEARCH WARRANT

REDACTED

Located at the following premises:

Match Group, LLC Tinder Records 8750 N. Central Expressway, Suite 1400, Dallas, Texas 75231

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within 14 days of issuance, and is authorized for daytime service only (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, MATCH/TINDER IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

MATCH/TINDER SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

12:49	UNDER MY	HAND and	DATED	this _	22nd	_ day of Dec	ember,	2022, at
					Mega Magistrat	n Mars	shall	·



In the Matter of the Application for a Search Warrant for Case No.

ORDER FOR EXTENSION TO RETURN SEARCH WARRANT

Match Group, LLC Tinder Records 8750 N Central Expressway, Suite 1400 Dallas, Texas 75231

MPD Case No. 22-M09903

The above matter having come before the Court based upon the motion of the State, and good cause appearing:

IT IS HEREBY ORDERED that the time for which the above referenced search warrant shall be returned is extended to April 5, 2023.

SO ORDERED this 14/23 p U:18 pm

Magistrate Judge

CERTIFICATE OF DELIVERY

	e and correct copies of the ORDER FOR VARRANT were served on the following in the
William W. Thompson, Jr. Latah County Prosecuting Attorney Latah County Courthouse Moscow, ID 83843	☐ Mailed ☐ E-filed & Served / E-mailed ☐ Faxed 【A Hand Delivered
Dated 1/5/03	
	TONYA DODGE Latah County Clerk of the Court

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

Match Group, LLC Tinder Records 8750 N Central Expressway, Suite 1400 Dallas, Texas 75231

MPD Case No. 22-M09903

The State of Idaho by and through Ashley S. Jennings, Latah County Sr. Deputy Prosecuting Attorney, moves this Court for an order extending the time for returning the above referenced search warrant which was issued on December 22, 2022. The search warrant was directed by the Court to be served within fourteen (14) days of issuance during business hours. The warrant was served by Detective Lawrence Mowery on December 22, 2022, by email. However, as of this date, the information has not been received.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

Although the warrant was executed within the fourteen (14) day timeframe directed by I.C. 19-4412, the State is not able to comply with the timeframe within which to return the warrant and provide a written inventory. Accordingly, the State requests an extension of time for the return of the search warrant.

RESPECTFULLY SUBMITTED this 4th day of January, 2023.

ASHLEY

Sr. Deputy Prosecuting Attorney

Filed: 03/07/2023 14:24:05

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Match Group, LLC Tinder Records 8750 N Central Expressway, Suite 1400 Dallas, TX 75231

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (E) and I.C. §74-124(1)(b), the court finds it necessary to seal in part and redact the record related the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) It is necessary to preserve the right to a fair trial.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3 7 2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Match Group, LLC Tinder Records 8750 N Central Expressway, Suite 1400 Dallas, Texas 75231 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and throughout the entirety of case CR29-22-2805 or further order of the Court, whichever occurs first.

SO ORDERED this 2023 day of February, 2023. 4:32 py

Magistrate Judge

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

1

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Match Group, LLC Tinder Records 8750 N Central Expressway, Suite 1400 Dallas, Texas 75231

MPD Case No. 22-M09903

Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Deprive a person of a right to a fair trial or an impartial adjudication;
- 3. Constitute an unwarranted invasion of personal privacy,
- 4. Disclose the identity of a confidential source; and/or
- 5. Disclose investigative techniques and procedures.

And the State seeks this protection throughout the entirety of case CR29-22-2805.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this May of February, 2023.

ASHLEY S. JENNINGS USr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for: Match Group, LLC Tinder Records 8750 N. Central Expressway, Suite 1400 Dallas, Texas 75231				Case No. CR29- RETURN OF SEARC	CH WARRANT
MPD Case No. 22-MO)9903		<u>)</u>		
STATE OF IDAHO) :ss.				
County of Latah)				

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 1:00 o'clock a.m., this 30th day of January, 2023.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

1/30/2023 (Date)

REDACTED

AFFIDAVIT OF DET. LAWRENCE MOWERY

STATE OF I		
County of Lat	ah)	
I, Law	rence Mowery, being duly sworn, do hereby state the follow	ving information is true and
correct to the	best of my knowledge and belief:	
(1)	That I am employed by the Moscow Police Department	in the official position of
	Detective;	
(2)	Affidavit has been a trained and qualified peace office for	12 years;
(3)	I currently work the day shift, 7:00 a.m. to 5:00 p.m.;	1
(4)	On January 25, 2023, I obtained a search warrant for Tind	ler (Match Group);
(5)	The warrant was served on January 26, 2023, via Match C	Group LE Portal;
(6)	On January 26, 2023, I received an email directing me to	a secure download for the
	requested data;	
(7)	On January 30, 2023, I downloaded the data and an invent	tory was prepared for all the
	items received;	
(8)	A copy of the inventory receipt was emailed to	, und
(9)	The information received was placed into evidence at Mo	oscow Police Department.
FUR'	THER your Affiant sayeth not.	
	Detective Lawrence	ce Mowery - 162

I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

Affiant

<u>January 30, 2023</u> (Date)

IN THE MATTER OF	Case No.
THE APPLICATION FOR A SEARCH WARRANT FOR	×)
Match Group, LLC (Tinder)	RECEIPT AND
8750 N. Central Expressway, Suite 1400	INVENTORY OF WARRANT
Dallas, Texas 75231	
On the 26 day of January	, 20 <u>23</u> , at approximately <u>0922</u> o'clock <u>a</u> .M.,
the following peace officers: Det Lawrence	e Mowery
X	
served the Search Warrant heretofore issue	d upon the place and/or person(s) described therein as
directed in said Search Warrant. Entrance	was obtained by:
The person(s) found in said place were:	
The property found and taken and the lo	ocation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
·	

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
IMEI	X
	- \
	J

This Receipt and Inventory was made in t	the presence of:
A copy hereof was given to the following	g named person(s) on the day of
, 20	_;
A copy hereof was left on this date in a coperson(s) present during said search:	onspicuous place in the place searched, there being no
DATED this day of	January, 20 <u>23</u>
	Det Lawrence Mowery
WITNESS	PEACE OFFICER &
The undersigned person(s) hereby acknowledge	owledge receiving a copy hereof on this day or
,2	0:

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491

paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Match Group, LLC)	ORDER
Tinder Records)	
8750 N Central Expressway, Suite 1400)	
Dallas, TX 75231)	
)	
MPD Case No. 22-M09903)	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

ORDER 1

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

2

DATED 2/2/2023 6 4:32 py.

Megan E. Marshall Magistrate Judge

In the Matter of the Application)	Case No. CR29-
for a Search Warrant for:)	
)	
Match Group, LLC)	SEARCH WARRANT
Tinder Records)	
8750 N. Central Expressway, Suite 1400,)	
Dallas, Texas 75231)	
)	
)	
MPD Case No. 22-M09903)	

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the investigation of the crime(s) of homicide of Madison Mogen, Kaylee Goncalves, Xana Kernodle, and/or Ethan Chapin at 1122 King Road, Moscow, Idaho on the Tinder account of Bryan Kohberger with any of the following IDENTIFIERS: Email address(es) l

; and/or phone number

and/or IMEI

generated on or between June 1, 2022 to present including:

SEARCH WARRANT

1

REDACTED

- all personally identifying information associated with any associated username and retained by the operators of the service including, by way of example and not limitation, biographical data, geographical location, electronic mail (email) address, profile information, primary picture, other private images, pictures, or videos, credit card information, and billing and information;
- all device identifying information including, by way of example and not limitation, the identifierForVendor number, International Mobile Equipment Identifier (IMEI), and/or Mobile Equipment Identifier;
- all email, and instant message conversations. This shall include the content of all messages and all associated electronic files transmitted including, by way of example and not limitation, images, videos, and audio files;
- all geolocation data, including by way of example but not limitation, cell site location data, Global Positioning System (GPS) data, and Wi-Fi access point data;
- all internet protocol (IP) addresses and attendant information;
- Subscriber information involving accounts registered;
- all communications content and records, data files, deleted files, e-mail, text
 messages, the content of communications, conversation history, photographs,
 video, notes, or voicemail related to the account(s). This data will also include
 attachments, source, and destination addresses, time and date information, images,
 and any other records;
- Subscriber information, conversation history, photos and videos belonging to account holders communicating with Bryan Kohberger;

located at the following premises:

Match Group, LLC Tinder Records 8750 N. Central Expressway, Suite 1400, Dallas, Texas 75231

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within 7 days of issuance, and is authorized for daytime service only (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, MATCH/TINDER IS ORDERED NOT TO

DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

MATCH/TINDER SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY	HAND	and	DATED	this	25th	day	of	January, 2	2023,	at
10:18			_ <u>a</u>	m.								
							Megan	EW.	Na	rshall	<u> </u>	_
							Magistrate J	udge				

Filed: 03/07/2023 15:15:43

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Meta Platforms, Inc. 1601 Willow Rd Menlo Park, CA 94025

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- This order will remain in effect until further order of the court.

Dated: 3/7/2003

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Meta Platforms, Inc. 1601 Willow Rd Menlo Park, CA 94025 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 3, 2023, or further order of the Court, whichever occurs first.

so ordered 12/2/22 p 9:48 am

Magistrate Judge

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

Meta Platforms, Inc. 1601 Willow Rd Menlo Park, CA 94025 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this _____ day of December, 2022.

ASHLEY'S. JENNINGS

Sr. Deputy Prosecuting Attorney

GLRK OF DIST CT. LATAH

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
ISB No.8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

		•)	
In the Matter of the Ap	plication)	Case No. CR29-
For a Search Warrant f	for:)	
)	
Meta Platforms, Inc)	RETURN OF
1601 Willow Road)	SEARCH WARRANT
Menlo Park, CA 9402	5)	
)	
MPD Case No. 22-M0	9903		_)	
STATE OF IDAHO)			
	:ss.			
County of Latah)			

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 4:00 o'clock p.m., this 1st day of December, 2020:

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/01/2022 (Date)

Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF ID	·
County of Late	ah)
I, Law	rence Mowery, being duly sworn, do hereby state the following information is true and
correct to the l	pest of my knowledge and belief:
(1)	That I am employed by Moscow Police Department in the official position of Forensic
	Detective;
(2)	Affidavit has been a trained and qualified peace office for 12 years;
(3)	On 11/21/22, I obtained a search warrant for Facebook;
(4)	The warrant was served on 11/21/22, by email (fax, email, etc);
(5)	On 11/30/2022, I received an e-mail from (Facebook, Instagram, etc.) which contained the requested information;
(6)	An inventory was prepared for all the items received; and
(7)	The information received was placed into evidence at the Latah County Sheriff's
	Department/Moscow Police Department/Idaho State Police.
FURT	HER your Affiant sayeth not.
	Affiant Mowery
I certi	fy (or declare) under penalty of perjury pursuant to the law the State of Idaho that
the foregoing	is true and correct.
12/01 (Date)	

IN THE MATTER OF THE APPLICATION	Case No.
FOR A SEARCH WARRANT FOR	× \
Meta Platforms, Inc.,	RECEIPT AND
1601 Willow Road	INVENTORY OF WARRANT
Menlo Park, CA 94025	
On the 21st day of November	, 20 <u>22</u> , at approximately <u>6:03</u> o'clock <u>P</u> .M.,
	vrence Mowery
X	
The person(s) found in said place were:	
The property found and taken and the loas follows:	ocation within or upon said place and/or person(s) are
DESCRIPTION OF PROPERTY	LOCATION/PERSON
FB	
1 MATAGRAL	

This Receipt and Inventory was ma	ade in the pre	esence of:			
A copy hereof was given to the fol	llowing name	ed person(s) o	on the		_day of
	····				
	and the second		(
A copy hereof was left on this date person(s) present during said search:	e in a conspic	uous place in	the place se	earched, there	being no
DATED this1 day of	Dec	ember	, 20_22_	(
		JE	-m	162	
WITNESS		PEACE O	FFICER		
The undersigned person(s) hereby			copy herec	of on this	_ day of
	, 20:		•		
	······································	7			

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

)	Case No.
)	
)	
)	ORDER
)	
)	
)	
)	
)))))

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/22 0 9:48 am.

Megan E. Marshall Magistrate Judge

In the Matter of the Application)	Case No. CR29-
for a Search Warrant for:)	
)	
Meta Platforms, Inc.)	SEARCH WARRANT
1601 Willow Road)	
Menlo Park, CA 94025)	
)	
MPD Case No. 22-M09903		

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime of homicide on the Facebook account of Xana Kernodle with the following the IDENTIFIER:

, from August 1, 2022 to November 19, 2022; there is probable cause to believe property consists of information related to the crime of homicide on the Instagram account of Xana Kernodle with the following IDENTIFIER:

from August 1, 2022 to November 20, 2022; all of the above should include:

- All user subscriber information to include, but not limited to, the FBID identification number, e-mail address, date and time stamp of account creation date displayed in GMT, most recent account log-ins in GMT, registered mobile number and verification on whether the number is publicly viewable;
- The length of service (including start date), the types of service utilized by the user

SEARCH WARRANT

1

REDACTED

- and the means and source of any payments associated with the service (including any credit card or bank account number) for the Facebook accounts listed above;
- User contact information to include name, birth date, contact email addresses, physical address, city, state, zip, home phone, cell phone, work phone, screen name and website;
- All privacy settings and other account settings;
- User Photoprint including all photos uploaded by that user ID and all photos uploaded by any user that has that user tagged, including any metadata, and EXIF data associated with the files, including date of upload and other metadata, if such information exists;
- All Neoprints, including profile contact information; mini-feed information; status
 updates, links to videos, photographs, articles, and other items; notes; wall posts;
 friend lists; including the friends' Facebook user identification members; groups and
 networks of which the user is a member, including the groups' Facebook group
 identification numbers; future and past event postings; rejected "friend" requests;
 comments; gifts; pokes; tags; and information about the user's access and use of
 Facebook applications, including any metadata associated with those files including
 date of upload and other metadata;
- Any and all communications and messages received by or sent from the screen/usernames including all private messages and pending friend requests;
- IP logs including all records of the IP addresses that logged into the accounts; and
- All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account; including contacts with support services and records of action taken;

located in or upon the following described premises to-wit:

Meta Platforms, Inc.
Security Department/Custodian of Records
1601 Willow Rd
Menlo Park, CA 94025
Fax: (650) 472-8007

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within 7 ___ days of issuance, and is authorized for daytime service only (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. And 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, META IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

META SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN UNDER MY 4:38	HAND and DA	ATED this 21st	day of November, 2022, a
		Mey	yan Marshall
		Magistrat	e Judge

Filed: 03/07/2023 15:19:12

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Meta Platforms, Inc. 1601 Willow Rd

MPD Case No. 22-M09903

Menlo Park, CA 94025

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D) and I.C. §74-124(1)(c), the court finds it necessary to seal the records related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person;
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals; and
- (3) Disclosure would constitute an unwarranted invasion of personal privacy.

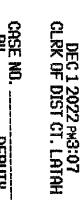
After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/1/2023

Megan E. Marshall Magistrate Judge



In the Matter of the Application for a Search Warrant for

Meta Platforms, Inc. 1601 Willow Rd Menlo Park, CA 94025 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 2, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 121/22 0 1:10 pt

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

1

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

paservice@latah.id.us

Case No.

Meta Platforms, Inc. 1601 Willow Rd Menlo Park, CA 94025 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this ______ day of November, 2022.

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	_
Meta Platforms, Inc.)	ORDER
1601 Willow Road)	
Menlo Park, CA 94025)	
)	
MPD Case No. 22-M09903)	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/1/220 1:10 PM.

Megan E. Marshall Magistrate Judge

ORDER 2

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
ISB No.8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

)	
pplication		ý	Case No. CR29-
for:)	
)	
)	RETURN OF
)	SEARCH WARRANT
25)	
)	
09903)	
`		•	
)			
:ss.			
)			
	for: 25 09903	for: 25 09903	for:)) 25) 09903)

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 9:00 o'clock a.m., this 1st day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/01/2022 (Date) Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF IDAHO)
	:ss
County of Latah)

I, Lawrence Mowery, being duly sworn, do hereby state the following information is true and correct to the best of my knowledge and belief:

- (1) That I am employed by Moscow Police Department in the official position of Forensic Detective;
- (2) Affidavit has been a trained and qualified peace office for 12 years;
- (3) On 11/20/22, I obtained a search warrant for Facebook;
- (4) The warrant was served on 11/20/22, by email (fax, email, etc);
- (5) On 11/21/2022, I received an e-mail from (Facebook, Instagram, etc.) which contained the requested information;
- (6) An inventory was prepared for all the items received; and
- (7) The information received was placed into evidence at the Latah County Sheriff's Department/Moscow Police Department/Idaho State Police.

FURTHER your Affiant sayeth not.

LAWRENCE MOWERT

Affiant

I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/01/2022 (Date)

(Signature

IN THE MATTER OF	Case No.
THE APPLICATION	
FOR A SEARCH WARRANT FOR	
Meta Platforms, Inc.,	RECEIPT AND
1601 Willow Road	INVENTORY OF WARRANT
Menlo Park, CA 94025	
On the 20th day of November,	, 2022, at approximately 10:41 o'clock p.M.,
the following peace officers: Detective Lawrence	Mowery
	41 - 1 and/an naman(a) described therein as
served the Search Warrant heretofore issued upon	
directed in said Search Warrant. Entrance was ob	tained by: Lers Portal
The person(s) found in said place were:	
	<u> </u>
The property found and taken and the location	within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
<u> </u>	
F_B	
<u> </u>	
FB (INSTAGLAN)	
(instaglan)	
RECEIPT AND INVENTORY	PAGE 1 OF 2 PAGES
I L I L L L L I I I I I I I I I I I I I	

This Receipt and Inventory was mad	de in the presence of:
A copy hereof was given to the following,	owing named person(s) on the day of 20;
person(s) present during said search:	December , 2022.
The state of the s	PEACE OFFICER
	acknowledge receiving a copy hereof on this day or

Case No. CR29-

In the Matter of the Application

for a Search Warrant for	r:)		
Meta Platforms, Inc. 601 Willow Road Menlo Park, CA 94025	5) SEARCH	I WARRANT	
MPD Case No. 22-M09	9903			
ENFORCING A	OFFICER AUTHORI ANY LAW OF THE very, having given me	STATE OF IDAH		able
cause establishing grou	nds for issuing a sear	ch warrant and the	re is probable cause to	believe
hat the property referre	ed to and sought in or	upon said premise	s consists of information	on
related to the crime of	nomicide on the Facel	book accounts of	•	
· •	; and Kaylee Gonc	alves with the follo	owing IDENTIFIERS:	
' ,	•	., and	from A	August
1, 2022, to November	18, 2022; there is pro	bable cause to bel	ieve that the property re	eferred
to and sought in or upo	n said premises consi	sts of information	related to the crime of	
homicide on the Instag	ram account of Kayle	e Goncalves with	the following IDENTII	FIER:
(di	splay name is), from Augus	st 1, 2022, to Novembe	er 18,
2022; and the above sh	nould include:		8	
SEARCH WARRANT		1		

REDACTED

- All user subscriber information to include, but not limited to, the FBID identification number, e-mail address, date and time stamp of account creation date displayed in GMT, most recent account log-ins in GMT, registered mobile number and verification on whether the number is publicly viewable;
- The length of service (including start date), the types of service utilized by the user and the means and source of any payments associated with the service (including any credit card or bank account number) for the Facebook accounts listed above;
- User contact information to include name, birth date, contact email addresses, physical address, city, state, zip, home phone, cell phone, work phone, screen name and website;
- All privacy settings and other account settings;
- User Photoprint including all photos uploaded by that user ID and all photos uploaded by any user that has that user tagged, including any metadata, and EXIF data associated with the files, including date of upload and other metadata, if such information exists;
- All Neoprints, including profile contact information; mini-feed information; status
 updates, links to videos, photographs, articles, and other items; notes; wall posts;
 friend lists; including the friends' Facebook user identification members; groups and
 networks of which the user is a member, including the groups' Facebook group
 identification numbers; future and past event postings; rejected "friend" requests;
 comments; gifts; pokes; tags; and information about the user's access and use of
 Facebook applications, including any metadata associated with those files including
 date of upload and other metadata;
- Any and all communications and messages received by or sent from the screen/usernames including all private messages and pending friend requests;
- IP logs including all records of the IP addresses that logged into the accounts; and
- All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account; including contacts with support services and records of action taken;

located in or upon the following described premises to-wit:

Meta Platforms, Inc.
Security Department/Custodian of Records
1601 Willow Rd
Menlo Park, CA 94025

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within _____7 days of issuance, and is authorized for daytime service only (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. And 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, META PLATFORMS IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURHER ORDER OF THE COURT.

META PLATFORMS SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN UNDER MY 1 9:23	HAND and DATED	this 20th day of November, 2022, at
9.23	m.	MeganMachall
		Magistrate Judge

Filed: 03/07/2023 14:35:36

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Meta Platforms, Inc. 1601 Willow Rd Menlo Park, CA 94025

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(À) and (D) and I.C. §74-124(1)(c), the court finds it necessary to seal the records related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person;
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals; and
- (3) Disclosure would constitute an unwarranted invasion of personal privacy.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/1/2023

Megan E. Marshall Magistrate Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Meta Platforms, Inc. 1601 Willow Rd Menlo Park, CA 94025 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 3, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/2/22 p 9:49 am

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

1

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

Meta Platforms, Inc. 1601 Willow Rd Menlo Park, CA 94025 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this _____ day of December, 2022.

ASHLEY S. JENNINGS
Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
ISB No.8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

)
In the Matter of the Ap	plication) Case No. CR29-
For a Search Warrant	for:)
)
Meta Platforms, Inc) RETURN OF
1601 Willow Road) SEARCH WARRANT
Menlo Park, CA 9402	25)
)
MPD Case No. 22-MO)9903)
STATE OF IDAHO)	
	:ss.	
County of Latah)	

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 4:00 o'clock p.m., this 1st day of December, 2020.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/01/2022 (Date)

Peace Officer

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATI	E OF ID	OHA)					
County	of Lata	ah	:ss.)					
	I, Law	rence M	lowery, be	ing duly s	worn, do he	reby state the	following inf	formation is true and
correct	to the l	best of r	ny knowle	edge and b	elief:			
	(1)	That I	am emplo	yed by Mo	scow Police	Department	in the official	position of Forensi
		Detect	ive;					
	(2)	Affida	vit has be	en a traine	d and qualif	ied peace off	ice for 12 year	rs;
	(3)	On 11	/21/22, I c	btained a	search warra	nt for Faceb	ook;	
	(4)	The w	arrant was	s served or	n 11/21/22, l	y email (fax	, email, etc);	
	(5)	On 11	/30/2022,	I received	l an e-mail f	rom Instagra	am which con	tained the requeste
		inforn	nation; no	informatio	on was retur	ned for		
	(6)	An in	ventory wa	as prepare	d for all the	items receive	xd; and	
	(7)	The in	formation	received	was placed in	nto evidence	at the Moscov	v Police Departmen
	FURT	HER y	our Affian	t sayeth n	ot.			
						Law	rence Mower	<u>y</u>
	I certi	fy (or d	eclare) ur	nder penal	ty of perjury			State of Idaho that
the for	regoing	is true	and corre	ct.				
	12/01	/202 <u>2</u>				10	- 162	2
	Date					(Sig	nature)	

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

IN THE MATTER OF THE APPLICATION FOR A SEARCH WARRANT FOR	Case No.
Meta Platforms, Inc., 1601 Willow Road	RECEIPT AND INVENTORY OF WARRANT
Menlo Park, CA 94025	
On the 21st day of November	, 20 <u>22</u> , at approximately <u>620</u> o'clock <u>P</u> .M.,
the following peace officers: Detective Law	vrence Mowery
	2011
The person(s) found in said place were:	was obtained by: LERS Portal
The property found and taken and the lo	cation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
	. 10

This Receipt and Inventory was made in the presence of:
A copy hereof was given to the following named person(s) on the day of, 20;
A copy hereof was left on this date in a conspicuous place in the place searched, there being no person(s) present during said search:
DATED this 1 day of December, 2022.
WITNESS PEACE OFFICER
The undersigned person(s) hereby acknowledge receiving a copy hereof on this day of, 20:

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Meta Platforms, Inc.)	ORDER
1601 Willow Road)	
Menlo Park, CA 94025)	
)	
MPD Case No. 22-M09903		
MPD Case No. 22-M109903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/2/22 P 9:49 am.

Megarl E. Marshall
Magistrate Judge

Case No. CR29-

for a Search Warrant for:)		
Meta Platforms, Inc.) 5	EARCH WARRANT	
1601 Willow Road)		
Menlo Park, CA 94025)		
MPD Case No. 22-M	109903)		
TO: ANY PEACE OFFICE ENFORCING ANY			ENFORCE OR ASSIST IN FIDAHO.	
Lawrence Mowery, having g	given me proof,	upon oath,	this day showing probable ca	use
establishing grounds for issu	iing a search wa	rrant and p	robable cause to believe propo	erty
consists of information relate	ed to the crime of	of homicide	e on the Instagram accounts o	f.
3.	,	, and E	than Chapin with the following	ng the
IDENTIFIERS:	, (, ,	, and	from
August 1, 2022 to Novembe	er 20. 2022, inch	uding:		

- All user subscriber information to include, but not limited to, the FBID identification number, e-mail address, date and time stamp of account creation date displayed in GMT, most recent account log-ins in GMT, registered mobile number and verification on whether the number is publicly viewable;
- The length of service (including start date), the types of service utilized by the user and the means and source of any payments associated with the service (including any credit card or bank account number) for the Facebook accounts listed above;
- User contact information to include name, birth date, contact email addresses, physical address, city, state, zip, home phone, cell phone, work phone, screen name and website;

SEARCH WARRANT

In the Matter of the Application

1

REDACTED

- All privacy settings and other account settings;
- User Photoprint including all photos uploaded by that user ID and all photos uploaded by any user that has that user tagged, including any metadata, and EXIF data associated with the files, including date of upload and other metadata, if such information exists;
- All Neoprints, including profile contact information; mini-feed information; status updates, links to videos, photographs, articles, and other items; notes; wall posts; friend lists; including the friends' Facebook user identification members; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications, including any metadata associated with those files including date of upload and other metadata;
- Any and all communications and messages received by or sent from the screen/usernames including all private messages and pending friend requests;
- IP logs including all records of the IP addresses that logged into the accounts; and
- All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account; including contacts with support services and records of action taken;

located in or upon the following described premises to-wit:

Meta Platforms, Inc.
Security Department/Custodian of Records
1601 Willow Rd
Menlo Park, CA 94025
Fax: (650) 472-8007

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within 7 days of issuance, and is authorized for daytime service only (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. And 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, META IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT.

META SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY	HAND	and	DATED	this	21st	_ day	of Nov	ember,	2022,	at
4:23			<u>p</u>	m.								
							Me	zan	-Mi	arsha	ll	
							Magistra	te Judg	ge			_

Filed: 03/07/2023 14:11:18

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Moscow Police Department Forensic Lab 155 Southview Moscow, Latah County, Idaho 83843.

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (E) and I.C. §74-124(1)(b), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) It is necessary to preserve the right to a fair trial.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2023

Megan E. Marshall Magistrate Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Moscow Police Department Forensic Lab 155 Southview Moscow, Latah County, Idaho 83843. Case No.

ORDER SEALING SEARCH WARRANT AND RELATED **DOCUMENTS**

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until April 10, so order of the Court, which is so order of the Court, which i 2023, or further order of the Court, whichever occurs first.

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

Moscow Police Department Forensic Lab 155 Southview Moscow, Latah County, Idaho 83843. MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application	on)	Case No. CR29-		
For a Search Warrant for:)			
)			
Moscow Police Dept)			
Forensic Lab)	RETURN AFFIDAVIT		
155 Southview Avenue)			
Moscow, ID 83843)			
)			
MPD Case No. 22-M09903				
STATE OF IDAHO)				
:ss.				
County of Latah)				

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 2:00 o'clock p.m., this 10th day of January, 2023.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

<u>1/10/2023</u> (Date)

Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF IDA	HO) :ss.
County of Latah	
I, Lawre	nce Mowery, being duly sworn, do hereby state the following information is true and
correct to the be	st of my knowledge and belief:
(1)	That I am employed by Moscow Police Department in the official position of Forensic
I	Detective;
(2)	Affidavit has been a trained and qualified peace office for 12 years;
(3)	On 1/9/2023 I obtained a search warrant for Data Extraction from Bryan Kohberger's
-	Phone located on USB External HD with Serial Number
(4)	The warrant was served on 1/9/2023, in person at the Moscow Police Department -
]	Forensic Lab;
(5)	An inventory was prepared for all the items received;
(6)	A copy of the warrant and inventory sheet were left with the drive and
(7)	The information received was placed into evidence at the Moscow Police Department.
FURTE	IER your Affiant sayeth not.
	Lawrence Mowery - 162 Affiant
I certify	(or declare) under penalty of perjury pursuant to the law the State of Idaho that
the foregoing i	s true and correct.
	9/2023 (Streature)
(Date)	(Signamic)

1

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

IN THE MATTER OF	Case No.
THE APPLICATION FOR A SEARCH WARRANT FOR	
Moscow Police Dept - Forensic Lab	RECEIPT AND
155 Southview Ave	INVENTORY OF WARRANT
Moscow ID 83843	
-7	
On the 9 day of January	2023, at approximately 1350 o'clock P.M.,
	Mowery
7617	
·	cation within or upon said place and/or person(s) are
DESCRIPTION OF PROPERTY	LOCATION/PERSON
USB External HD - SN	
Bryan Kohberger's Phone data	

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
/	X
	

A copy hereof was g	given to the following named person(s) on the _	day of
)
A conv hereof was 1	eft on this date in a conspicuous place in the place	ce searched, there being no
	cit on uns date in a complete as place in the pass	
	ومعاشلة والماري والمارية والمارية والمارية والمارية والمارية	
person(s) present durin	g said search: with drive	
)23 .
	g said search: with drive day of, 20	<u>)23</u> .
	day of, 20	
		/
DATED this 9	day of	/
DATED this 9	day of	y-
DATED this 9		y-
DATED this 9	day of	y-
DATED this 9		y-
DATED this 9 WITNESS		y-

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application) Case No.
for a Search Warrant for:)
)
Moscow Police Dept)
Forensic Lab) ORDER
155 Southview Avenue)
Moscow, ID 83843)
)
MPD Case No. 22-M09903	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

ORDER 1

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

2

DATED 1/10/230 4:41 pm.

Megan E. Marshall Magistrate Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for:

Moscow Police Department Forensics Lab 155 Southview Moscow, Latah County, Idaho 83843.

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe property consisting of a Seagate 2TB External USB Drive with Serial Number for evidence regarding the investigation into the crimes of homicide of Madison Mogen, Kaylee Goncalves, Xana Kernodle, and Ethan Chapin at 1122 King Road, Moscow, Idaho, including:

 Data compilations relating to or containing information indicating, suggesting, or related to violence, a fight, or motive/hostility for any of the same, to include without limitation ledgers, papers, lists, books, notes, letters, calendars, diaries, tapes, photographs, audio, videos, or other media or similar documents or items, computer and communications devices capable of storing electronic data, other electronic storage devices and media, and access to contents of all of the above;

- Records of communications;
- Written/text communications including emails, SMS text messages, MMS messages, and other communications, including but not limited to, third-party applications such as Kik, Whatsapp, Facebook, Instagram;
- Contacts stored;
- Location information;
- Location information stored in any cloud account associated with the phone if said account credentials can be obtained from the forensic image of the phone;
- Internet history, bookmarks, and/or associated cloud accounts;
- Written and audio recorded notes or any cloud account associated with the device;
- Indicia of residency in, or ownership or possession of, the premises and any of the above items;

located in or upon the following described premises, located in Latah County, State of Idaho:

The Moscow Police Department is located at 155 Southview, in Moscow, Idaho. The Forensics Lab is located on the second floor of the Moscow Police Department.

YOU ARE THE	REFORE COMMAN	NDED TO SEA	RCH the abov	e-described pre	mises for
the property described a					
named. THIS WARRA					
AND IS AUTHORIZEI				Idaho Criminal	Rule 41,
"daytime" means the hor	urs between 6:00 a.m	. and 10:00 p.m	a. local time).		
GIVEN UNDER MY 3:10		D this 9th	da	y of January,	2023, at
		m	egan EM	larshall	_

Magistrate Judge

Filed: 03/07/2023 14:13:32

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Paypal/Venmo Attn: Global Asset Protection Team 2211 North First St. San Jose, CA 95131

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2023

Megan E. Marshall Magistrate Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Paypal/Venmo Attn: Global Asset Protection Team 2211 North First St. San Jose, CA 95131

MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 21, 2023, or further order of the Court, whichever occurs first.

so ordered 12/23/22 @ 2:43 pm

Magistrate Judge

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

Paypal/Venmo Attn: Global Asset Protection Team 2211 North First St. San Jose, CA 95131 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this Moday of December, 2022.

ASHLEY S. JENNINGS U

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Paypal/Venmo)	ORDER
Attn: Global Asset Protection Team)	
2211 North First St.)	
San Jose, CA 95131)	
)	
MPD Case No. 22-M09903)	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

ORDER 1

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/23/22 12:43 PM

Megan E. Marshall Magistrate Judge

2

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application) Case No. CR29-
For a Search Warrant for:)) RETURN OF
D) SEARCH WARRANT
Paypal/Venmo Attn: Global Asset Protection Team) beaten window
2211 North First St.	ý
San Jose, CA 95131)
MPD Case No. 22-M09903)
STATE OF IDAHO)	
:ss.	
County of Latah)	

I, Detective Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 9:00 o'clock a.m., this 22nd day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/22/2022 (Date) Peace Officer

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE C	FIDAHO) :ss.
County of	
I,	awrence Mowery, being duly sworn, do hereby state the following information is true and
correct to	he best of my knowledge and belief:
(1	That I am employed by Moscow Police Department in the official position of Forensic
	Detective;
(2	Affidavit has been a trained and qualified peace office for 12 years;
(3	On 11/19/22, I obtained a search warrant for Paypal/Venmo;
(4	The warrant was served on 11/19/2022, by email (fax, email, etc);
(:	On 11/21/2022, Financial Specialist Agent Michael Douglass received an e-mail from
	Paypal/Venmo with the requested information; on 12/12/2022, I received an e-mail
	from Douglass which contained the requested information.
(An inventory was prepared for all the items received; and
(The information received was placed into evidence at the Moscow Police Department.
F	JRTHER your Affiant sayeth not.
	Lawrence Mowery
I	Affiant certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that
	oing is true and correct.
-	2/22/2022 FEY
(Date) (Signature)

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

IN THE MATTER OF THE APPLICATION FOR A SEARCH WARRANT FOR	Case No.
Paypal/Venmo	RECEIPT AND
2211 North First St.	INVENTORY OF WARRANT
San Jose, CA 95131	
On the 19th day of November	, 20 <u>22</u> , at approximately <u>9:27</u> o'clock <u>P</u> .M.,
the following peace officers:	
directed in said Search Warrant. Entrance wa	upon the place and/or person(s) described therein as as obtained by:
The person(s) found in said place were:	
The property found and taken and the loca	ation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial Records for Ethan Chapin	
Financial Records for Maddie Mogen	
Financial Records for Xana Kernodle	
Financial Records for Kaylee Goncalves	
RECEIPT AND INVENTORY	PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
Financial Records for	
Financial Records for	
Financial Records for	
	X
	X
	<u> </u>
	X

	e in the presence of:
A copy hereof was given to the follow, 20	wing named person(s) on the day of 0;
A copy hereof was left on this date in person(s) present during said search: DATED this day of	
	PEACE OFFICER
WITNESS	PÉACE OFFICER
The undersigned person(s) hereby ac	cknowledge receiving a copy hereof on this day of, 20:

In the Matter of the Application for a Search Warrant for:

Paypal/Venmo

Attn: Global Asset Protection Team

2211 North First St. San Jose, CA 95131 Ph: 402-935-2050

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime(s) of homicide to include all records and documents (the terms "records" and "documents" mean any and all tangible forms of expression in your possession, custody, or control, in any language or

REDACTED 1

format, and include, but are not limited to, writings, papers, and tape recordings, electronic video and audio recordings (e.g. video surveillance), microform, electromagnetic recordings, optical recordings, electronic files or records, photographs, drafts, finished versions, originals, and copies, however created, produced, or stored. Video surveillance/images pertaining to account transactions (to include account opening, deposit, withdrawals, etc.) are included with this request. Supporting information can be provided to help identify surveillance video/images for some of the transactions) from September 1, 2022 to present in the name or control of:

- Ethan Chapin,
- Madison May Mogen,
- Xana Alexia Kernodle,
- Kaylee Jade GonCalves,
- •
- _

to include the following:

- All Open and Closed accounts: all records pertaining to the individuals(s) or business
 entities identified in this letter whether held jointly or severally or as trustee or fiduciary
 as well as custodian, executor or guardian, as well as any other entity in which these
 individual(s) or entities may have a financial interest; includes all accounts in which these
 individuals had signatory authority and/or the right of withdrawal; these records should
 include:
 - Signature cards;
 - Statement Data/Monthly Account Statements;
 - Identification of and name assigned on all Debit Cards on account;
 - Deposits and supporting documentation including but not limited to evidence of cash, cancelled deposited checks front and back, transfers from other accounts including full account number and name, and other credit information.
 - Checks and other withdrawals including but not limited to cancelled checks front and back, withdrawals and offsets, evidence of cash withdrawals, transfers from other accounts including account number and name, other debit information;
 - Wire transfers in and out including wire transfer instructions and evidence of requestor if possible;
 - Evidence of cash transactions and identifying information of individuals conducting cash transactions;

- Identification of sender or recipient bank, full account number, and account name on ACH transfers, online transfers, teller transfers, or other transfers;
- Electronic/Internet records: for those customers who engage in online banking with your financial institution, the following information pertaining to that online banking account: usernames or other identifying information for the account; e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter; historical access logs for authentication to the account including Internet Protocol (IP) addresses for this account and date, time and duration of each session;
- Certificate of Deposit and Money Market Certificates: including applications, actual
 instrument(s), records of purchases and redemptions, checks issued on redemption,
 checks used to purchase certificates, any correspondence and any Forms 1099 issued,
 records revealing the annual interest paid or accumulated, the dates of payment or date
 interest is earned, and checks issued for interest payments;
- Credit Card records (e.g. MasterCard and Visa): including customer's application, signature card, credit or background investigations conducted, correspondence, monthly billing statements, individual charge invoices, repayment records, disclosing the date, amounts and method of repayment, checks used to make repayments (front and back);
- Purchase of Bank Checks: purchases of bank checks, cashiers, teller, traveler's check
 records, or money order records, including the check register, file copies of the check or
 money orders, records revealing the date and source of payment for said checks or money
 orders;
- Correspondence: all records of correspondence/communication between the customer and the financial institution relating to the above services or for any other purpose, including customer service inquiries or requests for assistance;
- Safe Deposit Boxes: any and all information pertaining to safe deposit boxes held by customer including safe deposit application, authorized signers, and access logs;
- Other records: all applications, forms, and other written documents completed by the
 customer; records of certified checks, wire transfers, or collections, letter credit, bonds
 and securities purchased through your financial institution, savings bond transaction and
 investment accounts. Such records that disclose the date and amount of the transaction,
 method (cash or check) and source of payment, instruments and statements of
 transactions; all correspondence with the above individual(s)/entities and/or with third
 parties regarding the above individual(s)/entities; all memoranda, notes, files, or records
 relating to meetings or conversations concerning the above individual(s)/entities;

located at the following premises:

Paypal/Venmo Attn: Global Asset Protection Team 2211 North First St. San Jose, CA 95131 Ph: 402-935-2050

YOU ARE THEREFORE COMMANDED TO SEARCH the ab property described above, TO SEIZE it if found and bring it promptly	before the Court above-named.
THIS WARRANT SHALL BE EXECUTED WITHIN 7 D.	
AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Ida	sho Criminal Rule 41, "daytime"
means the hours between 6:00 a.m. and 10:00 p.m. local time).	
GIVEN UNDER MY HAND and DATED this 19th	_ day of November, 2022, at

Magan Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for Case No.

ORDER FOR EXTENSION TO RETURN SEARCH WARRANT

Paypal/Venmo Attn: Global Asset Protection Team 2211 North First St. San Jose, CA 95131

MPD Case No. 22-M09903

The above matter having come before the Court based upon the motion of the State, and good cause appearing:

IT IS HEREBY ORDERED that the time for which the above referenced search warrant shall be returned is extended to March 3, 2023.

SO ORDERED this 12/2/22 0 3:43 pt

Magistrate Judge

CERTIFICATE OF DELIVERY

	ne and correct copies of the ORDER FOR WARRANT were served on the following in the
William W. Thompson, Jr. Latah County Prosecuting Attorney Latah County Courthouse Moscow, ID 83843	☐ Mailed ☐ E-filed & Served / E-mailed ☐ Faxed ☐ Hand Delivered
Dated 101502	
	TONYA DODGE Latah County Clerk of the Court By Deputy Clerk

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Paypal/Venmo
Attn: Global Asset Protection Team
2211 North First St.
San Jose, CA 95131

MPD Case No. 22-M09903

Case No.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

The State of Idaho by and through Ashley S. Jennings, Latah County Sr. Deputy Prosecuting Attorney, moves this Court for an order extending the time for returning the above referenced search warrant which was issued on the 19th day of November, 2022 The search warrant was directed by the Court to be served within fourteen (14) days of issuance during business hours. The warrant was served by Detective Lawrence Mowery on the 19th day of November, 2022, by email. However, as of this date, the information has not been received.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

Although the warrant was executed within the fourteen (14) day timeframe directed by I.C. 19-4412, the State is not able to comply with the timeframe within which to return the warrant and provide a written inventory. Accordingly, the State requests an extension of time for the return of the search warrant.

RESPECTFULLY SUBMITTED this 10 day of December, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

Filed: 03/07/2023 14:16:03

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search

Reddit.com 520 3rd Street San Francisco, CA 94107 lawenforcement@reddit.com

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search

Reddit.com 520 3rd Street San Francisco, CA 94107 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 21, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/23/22 0 2:45 pm

Magistrate Court

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

REDACTED

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search

Case No.

Reddit.com 520 3rd Street San Francisco, CA 94107 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

REDACTED

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this May of December, 2022.

ASHLEY S. JENNINGS
Sr. Deputy Prosecuting Attorney

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

DEC 23 2022 PM4:11 CLRK OF DIST CT. LATAH

LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for:) Case No. CR29-
Reddit.com 520 3 rd Street San Francisco, CA 94107) RETURN OF SEARCH WARRANT)
MPD Case No. 22-M09903	<u>)</u>
STATE OF IDAHO) :ss.	
County of Latah)	- 3

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 9:00 o'clock a.m., this 22nd day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/22/2022 (Date) Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE	OF ID				
County o	of Latal	:ss. n)			
I,	, Lawre	ence Mowery, being duly sworn, do hereby state the following information is true and			
correct to	o the b	est of my knowledge and belief:			
((1)	That I am employed by Moscow Police Department in the official position of Forensic			
		Detective;			
((2)	Affidavit has been a trained and qualified peace office for Twelve (12) years;			
((3)	On November 20, 2022, I obtained a search warrant for Reddit.com;			
((4)	The warrant was served on December 1, 2022, by email (fax, email, etc);			
((5)	On December 19, 2022, I received an e-mail from Reddit.com which contained the			
		requested information;			
((6)	An inventory was prepared for all the items received; and			
((7)	The information received was placed into evidence at the Moscow Police Department.			
]	FURT	HER your Affiant sayeth not.			
		Lawrence Mowery Affiant			
	I certif	y (or declare) under penalty of perjury pursuant to the law the State of Idaho that			
the fore	egoing	is true and correct.			
	12/22/	2022 Jrn 16~			
	(Date)	(/(C!_==================================			

IN THE MATTER OF THE APPLICATION FOR A SEARCH WARRANT FOR	Case No.				
Reddit.com	RECEIPT AND				
520 3rd Street	INVENTORY OF WARRANT				
San Francisco, CA 94107					
On the 1st day of December	, 2022, at approximately 2:09 o'clock P.M.,				
the following peace officers: Detective Lav	vrence Mowery				
X					
The person(s) found in said place were:					
	7				
The property found and taken and the lo	cation within or upon said place and/or person(s) are				
as follows:					
DESCRIPTION OF PROPERTY	LOCATION/PERSON				
Kaylee Goncalves	_				
-4818	_				
·					

This Receipt and Inventory was made in	the presence of:	
A copy hereof was given to the followin	ng named person(s) on the	day of
	_;	
A copy hereof was left on this date in a c	conspicuous place in the place search	ed, there being no
person(s) present during said search: DATED this 22 day of	December 20.22	5
DATED this day of	7500 (67	
WITNESS	PEACE OFFICER	
The undersigned person(s) hereby ackr		this day of

SY DEPU

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Reddit.com)	ORDER
520 3 rd Street)	
San Francisco, CA 94107)	
)	
MPD Case No. 22-M09903)	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

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prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/23/22P 2:45 PM

Megan E. Marshall Magistrate Judge

In the Matter of the Application) Case No. CR29-
for a Search Warrant for:)
Reddit.com) SEARCH WARRANT
520 3rd Street)
San Francisco, CA 94107)
)
)
MPD Case No. 22-M09903)

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime of homicide on the Reddit account of Kaylee Goncalves with any of the following Identifiers: Kaylee Goncalves, mobile phone number of 4818, email address(es) and/or generated on or between January 1, 2021 to present, including:

- o All basic subscriber information, such as information collected when a user creates a new Reddit account, alters information at a later date, or otherwise
 - interacts with the Reddit website and/or application ("app") including but not limited to:
 - o Reddit user/subscriber known legal name/identity
 - o Email address
 - o Phone number

SEARCH WARRANT

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REDACTED

- o Reddit display name
- o Reddit account creation date and Internet Protocol (IP) address
- o Time stamp and IP address of Reddit account logins and log-outs
- o Address
- o Date of birth
- o Gender
- o Billing information
- o Expanded subscriber information, including but not limited to:
 - Non-content related records and/or information about the above-listed target user(s) and/or account(s), including but not limited to user preferences and communication headers;
 - O Any and all records concerning the above-listed account holders/identifiers including, but not limited to, metadata about a user's content;
 - Any stored user files (to include all photographs in their original file format, including metadata information);
- o Location data, including but not limited to:
 - Any and all records concerning the above-listed target user(s) and/or account(s) including, but not limited to, location data;
- o Reddit user communications content, including but not limited to:
 - Public posts, comments, votes, and other information regarding the substance of the target user(s)/account(s)'s publicly available communications;
 - Private/non-public messages and/or communications between users/accounts, posts, comments, votes, and other information regarding the substance of the user(s)/account(s)'s non-public communications;
- o Internet Protocol (IP) address information, including but not limited to, all IP address information regarding the IP address used at the time of account creation, and any IP address information stored by Reddit for the above-listed target user(s)/account(s);
- Other identifying data, if collected by Reddit, including but not limited to any information on the device(s) used to access the target account(s), including the type of devices, model numbers, International Mobile Equipment Identifier (IMEI) numbers, phone numbers, Global Positioning System (GPS) locations, and/or IP addresses;

located at the following premises:

Reddit.com 520 3rd Street San Francisco, CA 94107

This court order will be electronically submitted to Reddit.com via their online Law Enforcement

records system at:

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within __7__ days of issuance, and is authorized for daytime service only (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, REDDIT IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

REDDIT SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN U	NDER MY	HAND		DATED	this	1st	day of	December,	2022, a
12.21		\ <u>\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\</u>	.m.			Megas Magistrate	u EW	larshall	2

In the Matter of the Application for a Search Warrant for Case No.

ORDER FOR EXTENSION TO RETURN SEARCH WARRANT

Reddit.com 520 3rd Street San Francisco, CA 94107

MPD Case No. 22-M09903

The above matter having come before the Court based upon the motion of the State, and good cause appearing:

IT IS HEREBY ORDERED that the time for which the above referenced search warrant shall be returned is extended to March 14, 2023.

SO ORDERED this 12/15/22

Magistrate Judge

CERTIFICATE OF DELIVERY

I do hereby certify that tr	ue and correct copies of the ORDER FOR
EXTENSION TO RETURN SEARCH	WARRANT were served on the following in the
manner indicated below:	X
William W. Thompson, Jr.	☐ Mailed
Latah County Prosecuting Attorney	☐ E-filed & Served / E-mailed
Latah County Courthouse	☐ Faxed
Moscow, ID 83843	☑ Hand Delivered
	p Hand Denvered
Dated 12/20/22	
Dated 12 .20 2.2	 ()
	TONYA DODGE
	Latah County Clerk of the Court
	(ا هـ
	Ву:
	Deputy Clerk

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

M⁰ RE

Case No.

Reddit.com 520 3rd Street San Francisco, CA 94107

MPD Case No. 22-M09903

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

The State of Idaho by and through Ashley S. Jennings, Latah County Sr. Deputy Prosecuting Attorney, moves this Court for an order extending the time for returning the above referenced search warrant which was issuedDecember, 2022The search warrant was directed by the Court to be served within fourteen (14) days of issuance during business hours. The warrant was served by Detective Lawrence Mowery on December 1, 2022, by email. However, as of this date, the information has not been received.

Although the warrant was executed within the fourteen (14) day timeframe directed by

I.C. 19-4412, the State is not able to comply with the timeframe within which to return the warrant and provide a written inventory. Accordingly, the State requests an extension of time for the return of the search warrant.

RESPECTFULLY SUBMITTED this 14th day of December, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

Filed: 03/07/2023 14:21:06

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Case No. CR29-22-2805

Snap Inc. (Snapchat) 2772 Donald Douglas Loop North Santa Monica, CA 90405

ORDER TO SEAL AND REDACT

MPD Case No. 22-M09903

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D) and I.C. §74-124(1)(c), the court finds it necessary to seal the records related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person;
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals; and
- (3) Disclosure would constitute an unwarranted invasion of personal privacy.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- This order will remain in effect until further order of the court.

Dated: 3/7/2023

Magistrate Judge

In the Matter of the Application for a Search Warrant for

Snap Inc. (Snapchat) 2772 Donald Douglas Loop North Santa Monica, CA 90405 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 2, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/5/22 P 4:22 N

Magistrate Judge

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

paservice@latah.id.us

Case No.

Snap Inc. (Snapchat) 2772 Donald Douglas Loop North Santa Monica, CA 90405 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this May of December, 2022.

ASHLEY S. JENNING

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Ap for a Search Warrant f	-)	Case No. CR29-
Snap Inc., (Snapchat))	
2772 Donald Douglas	Loop North)	RETURN OF
Santa Monica, CA 90405))	SEARCH WARRANT
MPD Case No. 22-MC	9903))	
STATE OF IDAHO)			
	:ss.			
County of Latah)			

I, Detective Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 1:30_o'clock p.m., this 5 day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/05/2022 (Date)

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF 1	
County of La	atah)
I, La	wrence Mowery, being duly sworn, do hereby state the following information is true and
correct to the	e best of my knowledge and belief:
(1)	That I am employed by Moscow Police Department in the official position of Forensic
	Detective;
(2)	Affidavit has been a trained and qualified peace office for 12 years;
(3)	On 11/21/22, I obtained a search warrant for Snapchat;
(4)	The warrant was served on 11/21/2022, by email (fax, email, etc);
(5)	On 11/29/22, I received an e-mail from Snapchat which contained the requested
	information;
(6)	An inventory was prepared for all the items received; and
(7)	The information received was placed into evidence at the Moscow Police Department
FUR	THER your Affiant sayeth not.
	Lawrence Mowery Affiant
I cer	tify (or declare) under penalty of perjury pursuant to the law the State of Idaho that
the foregoin	ng is true and correct.
<u>12/0</u> (Da	(Signature)

IN THE MATTER OF THE APPLICATION FOR A SEARCH WARRANT FOR	Case No.
Snap Inc., (Snapchat)	RECEIPT AND
2772 Donald Douglas Loop North	INVENTORY OF WARRANT
Santa Monica, CA 90405	
On the 21 day of November	, 2022, at approximately 10:16 o'clock A.M.,
the following peace officers: Detective Law	rence Mowery
The person(s) found in said place were:	
The property found and taken and the local as follows:	cation within or upon said place and/or person(s) are
DESCRIPTION OF PROPERTY	LOCATION/PERSON
:	

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON
	·

A copy hereof was given	n to the following named person(s) on the	day of
A copy hereof was left or person(s) present during said	n this date in a conspicuous place in the place id search:	e searched, there being no
DATED this5	day of <u>December</u> , 20	<u>22</u> .
	Æ	3-
	PEACE OFFICER	3-
WITNESS The undersigned person	n(s) hereby acknowledge receiving a copy he	reof on this day of
WITNESS The undersigned person		reof on this day of
WITNESS The undersigned person	n(s) hereby acknowledge receiving a copy he	reof on this day of

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Snap Inc., (Snapchat))	ORDER
2772 Donald Douglas Loop North)	
Santa Monica, CA 90405)	
)	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

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prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/5/22 @ 4:22 pm.

Megan E. Marshall
Magistrate Judge

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n the Matter of or a Search W	f the Application arrant for:)	Case No. CR29-	
Snap Inc. (Sna 2772 Donald D Santa Monica,	Oouglas Loop North)	SEARCH WARR	ANT
MPD Case No	. 22-M09903			
:	PEACE OFFICER A RCING ANY LAW			ASSIST IN
Lawrence Mov	wery, having given n	ne proof, upon oa	th, this day showing	g probable cause
establishing gr	ounds for issuing a s	earch warrant and	l probable cause to	believe there is
information re	garding the crime(s)	of homicide on th	ne Snap Accounts o	f Xana Kerrnodle,
Kaylee Goncal	lves, Ethan Chapin,		• · · ·	, and
, with th	e following IDENTI	FIERS;	,	<u>.</u> ,
	, an	nd	between August 1,	, 2022 and November
20, 2022, to in	clude:			
a.	All subscriber infor name, Snapchat cre account logins and	ation date and IP		
b.	All logs of previous	s snaps, stories, a	nd chats;	
c.	All location data fo	r each Snapchat	ıser;	
d.	All user content inc	cluding communi	cations or other mes	ssages sent or received

SEARCH WARRANT

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by the accounts;

- e. All information about connections between the accounts and third-party websites and applications;
- f. All records pertaining to communications between Snapchat and any person regarding the user or the user's Snapchat accounts, including contacts with support services, and all records of actions taken, including suspensions of the accounts;

which is stored at premises owned, maintained, controlled, or operated by Snapchat, Inc., a

free online messaging application at:

Custodian of Records Snap Inc. 2772 Donald Douglas Loop North Santa Monica, CA 90405

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within 7 days of issuance, and is authorized for daytime service only (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. And 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, SNAP INC. (SNAPCHAT) IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR SIX MONTHS OR UNTIL FURTHER ORDER OF THE COURT.

SNAP INC. (SNAPCHAT) SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY	HAND	and	DATED	this	21st	_day o	of N	ovember,	2022,	a
4:29			p.1	n.								
							Mega	n E	Ma	rshall	,	_
							Magistra	te Judg	ge			

Filed: 03/07/2023 14:19:17

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No. CR29-22-2805

Snap Inc. (Snapchat) 2772 Donald Douglas Loop North Santa Monica, CA 90405 ORDER TO SEAL AND REDACT

MPD Case No. 22-M09903

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: $3 \setminus 1 \setminus 2023$

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Snap Inc. (Snapchat) 2772 Donald Douglas Loop North Santa Monica, CA 90405 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 2, 2023, or further order of the Court, whichever occurs first.

so ordered 12/2/22 p 9:29 am

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

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LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

Snap Inc. (Snapchat) 2772 Donald Douglas Loop North Santa Monica, CA 90405 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 1st day of December, 2022.

ASHLEY S. JUNNINGS
Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE
Ashley S. Jennings
Sr. Deputy Prosecuting Attorney

Ashley S. Jennings
Sr. Deputy Prosecuting Attorney
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843-0568
(208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the App for a Search Warrant for)	Case No. CR29-
Snon Inc. (Snonchat)		<i>)</i>	
Snap Inc., (Snapchat) 2772 Donald Douglas L	oon North) }	RETURN OF
Santa Monica, CA 9040	\ -))	SEARCH WARRANT
MPD Case No. 22-M09	903		
STATE OF IDAHO)			
;	SS.		
County of Latah)	r		

I, Detective Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 4:00 o'clock P.m., this stay of December, 2012.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/01/2022 (Date) Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF ID.	AHO) :ss.
County of Lata	
I, Lawr	ence Mowery, being duly sworn, do hereby state the following information is true and
correct to the b	est of my knowledge and belief:
(1)	That I am employed by Moscow Police Department in the official position of Forensic
	Detective;
(2)	Affidavit has been a trained and qualified peace office for 12 years;
(3)	On 11/21/22, I obtained a search warrant for Snapchat;
(4)	The warrant was served on 11/21/2022, by email (fax, email, etc);
(5)	On 11/29/22, I received an e-mail from Snapchat which contained the requested
	information;
(6)	An inventory was prepared for all the items received; and
(7)	The information received was placed into evidence at the Moscow Police Department.
FURT	HER your Affiant sayeth not.
	Lawrence Mowery Affiant
I certi	fy (or declare) under penalty of perjury pursuant to the law the State of Idaho that
the foregoing	is true and correct.
<u>12/01</u>	12022 FEN 162
(Date)	(Signature)

IN THE MATTER OF THE APPLICATION FOR A SEARCH WARRANT FOR	Case No.					
FOR A SEARCH WARRANT FOR						
Snap Inc., (Snapchat)	RECEIPT AND INVENTORY OF WARRANT					
2772 Donald Douglas Loop North	INVENTORI OF WINDER					
Santa Monica, CA 90405						
On the 21 day of November	, 2022, at approximately 10:16 o'clock A.M.,					
	vrence Mowery					
160						
The person(s) found in said place were:						
The property found and taken and the local as follows:	cation within or upon said place and/or person(s) are					
DESCRIPTION OF PROPERTY	LOCATION/PERSON					
	_					
-	Cx					
DECEMBER AND DESCRIPTIONS	PAGE_1_OF_2_PAGES					
RECEIPT AND INVENTORY	TAOD T OF Z TAODS					

A copy hereof was given	to the following named person(s) on the	day of
	; 20;	
)
	n this date in a conspicuous place in the place	e searched, there being no
person(s) present during said	d search:	
DATED this 1st	day of <u>December</u> , 20	<u>22</u> .
	70	4.5
		/ 14 1
WITNESS	PEACE OFFICER	140
WITNESS	PEACE OFFICER	
The undersigned person	(s) hereby acknowledge receiving a copy he	
The undersigned person		

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Snap Inc., (Snapchat))	ORDER
2772 Donald Douglas Loop North)	
Santa Monica, CA 90405)	
)	
MPD Case No. 22-M09903)	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/2/2022 0 9:29 am

Megan E. Marshall Magistrate Judge

2

In the Matter of the Application)	Case No. CR29-
for a Search Warrant for:)	
)	
Snap Inc. (Snapchat))	SEARCH WARRANT
2772 Donald Douglas Loop North)	
Santa Monica, CA 90405)	
)	
MPD Case No. 22-M09903		

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe there is information regarding the crime(s) of homicide, on the Snap Account Maddison "Maddie" Mogen with the following IDENTIFIER:

between August 1, 2022 and

November 19, 2022 including:

- All subscriber information including email address, phone number, display name, Snapchat creation date and IP address; timestamp and IP address of account logins and logouts;
- b. All logs of previous snaps, stories, and chats;
- c. All location data for each Snapchat user;
- d. All user content including communications or other messages sent or received by the accounts;
- e. All information about connections between the accounts and third-party websites and applications;

SEARCH WARRANT

1

f. All records pertaining to communications between Snapchat and any person regarding the user or the user's Snapchat accounts, including contacts with support services, and all records of actions taken, including suspensions of the accounts:

located in or upon the following described premises owned maintained, controlled, or operated by Snap Inc. (Snapchat):

Custodian of Records Snap Inc. 2772 Donald Douglas Loop North Santa Monica, CA 90405

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within ___7__ days of issuance, and is authorized for daytime service only (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. And 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, SNAP INC. (SNAPCHAT) IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR SIX MONTHS OR UNTIL FURTHER ORDER OF THE COURT.

SNAP INC. (SNAPCHAT) SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY	HAND	and	DATED	this	21st	7	_day	of	November	, 2022,	at
10:00			<u>a</u> .1	n.									
											Marsha	ell	
							Mag	gistra	te Jud	lge			_

Filed: 03/07/2023 14:41:05

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No. CR29-22-2805

T-Mobile 4 Sylvan Way Persippany, NJ 07054

ORDER TO SEAL AND REDACT

MPD Case No. 22-M09903

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and I.C. §74-124(1)(e), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) Production of such records would disclose investigative techniques and procedures. After due consideration and good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/1/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

T-Mobile 4 Sylvan Way Persippany, NJ 07054 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 3, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/2/22 0 9:47 am

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

T-Mobile 4 Sylvan Way Persippany, NJ 07054 Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this ______ day of December, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Ap For a Search Warrant	-)	Case No. CR29-
T-Mobile)	RETURN OF
4 Sylvan Way)	SEARCH WARRANT
Persippany, NJ 07054)	
MPD Case No. 22-M	09903	 <u>`</u>	
STATE OF IDAHO) :ss.		
County of Latah)		

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 4:00 o'clock P. .m., this 1 day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/01/2022 (Date) Peace Officer

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE C	FIDAHO) :ss.
County of	
I,	Lawrence Mowery, being duly sworn, do hereby state the following information is true and
correct to	the best of my knowledge and belief:
(1	That I am employed by Moscow Police Department in the official position of Forensic
	Detective;
(2	Affidavit has been a trained and qualified peace office for 12 years;
(3	On 11/26/22, I obtained an amended search warrant for T-Mobile;
(4	The warrant was served on 11/26/2022, by email (fax, email, etc);
(5	On 11/28/22, I received an e-mail from T-Mobile which contained the requested information;
((An inventory was prepared for all the items received; and
(°	The information received was placed into evidence at the Moscow Police Department.
F	URTHER your Affiant sayeth not.
	Lawrence Mowery Affiant
I	certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that
the foreg	oing is true and correct.
_	2/01/2022 Date) (Signature)

IN THE MATTER OF	Case No
THE APPLICATION	
FOR A SEARCH WARRANT FOR	
T-Mobile	RECEIPT AND
4 Sylvan Way	INVENTORY OF WARRANT
Persippany, NJ 07054	
On the 26 day of November	, 2022, at approximately 8:59 o'clock P.M.,
	ence Mowery
the following peace officers: Detective Lawre	sice Mowery
The person(s) found in said place were:	
The property found and taken and the local as follows:	tion within or upon said place and/or person(s) are
DESCRIPTION OF PROPERTY	LOCATION/PERSON
GPS Coordinates:	

RECEIPT AND INVENTORY

PAGE 1 OF 2 PAGES

A copy hereof was given	to the following	g named person(s)	on the	day of
Treopy hereor was given				-
			0_	
			(?	1 1 1
A copy hereof was left or	n this date in a c	onspicuous place i	in the place searched, t	here being no
person(s) present during sai	d search: GPS	Coordinates:		
DATED this1	day of	December	, 20 <u>22</u> .	
60	· —	T	in 162	/
WITNESS		PEACE	OFFICER	
The undersigned person	(s) hereby ackn	owledge receiving	a copy hereof on this	day of
		20:		
		_X\)		
		~7		

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
T-Mobile)	ORDER
4 Sylvan Way)	
Persippany, NJ 07054)	
,)	
MPD Case No. 22-M09903)	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

1

ORDER

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/22 P 9:47 am

Megan E. Marshall
Magistrate Judge

In the Matter of the Application)	Case No. CR29-
For a Search Warrant for:)	
)	
T-Mobile)	AMENDED
Attn: Law Enforcement Relations Group)	SEARCH WARRANT
4 Sylvan Way)	
Parsippany, NJ 07054)	
)	
)	
MPD Case No. 22-M09903		

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe property consists of records generated by the cellular network that are in the possession, custody, and/or control of T-Mobile, hereafter "the Service Provider," a cellular service provider; Affiant further says that this data is in possession of the Service Provider and believe that the data may contain of a homicide between November 13, 2022 from 3:00 a.m. to 5:00 a.m. (Pacific Standard Time) including the following:

A. Search of all records and unique device/user identifiers pertaining to Timing Advance, Real Time Tool (RTT), Location Database of Record (LocDBoR), Call Detail Records for voice, Short Message Service (SMS), and data connections during the following listed dates and times that utilized towers

AMENDED SEARCH WARRANT

1

REDACTED

that provide coverage to:

B.

GPS Coordinates:
Date: November 13, 2022

Distance from Location: 2 miles Time: 3:00 a.m. – 5:00 a.m.

(PST)

- C. For each search area described above, the Service Provider is required to disclose all records and other information (not including the contents of communications) about all communications made and all cellular device interactions with the network that have generated location information that falls within the defined search area during the corresponding timeframe(s) listed above, including records that identify:
 - i. the unique identifiers for each wireless device that generated a Timing Advance, RTT, and/or LocDBoR record within the search area for each location, including Electronic Serial Numbers ("ESN"), Mobile Electronic Identity Numbers ("MEIN"), Mobile Identification Numbers ("MIN"), Subscriber Identity Modules ("SIM"), Mobile Subscriber Integrated Services Digital Network Numbers ("MSISDN"), International Mobile Subscriber Identifiers ("IMSI"), International Mobile Equipment Identities ("IMEI"), and the make and model of the device;
 - ii. the starting and ending date/time of the connection along with the duration;
 - iii. for each communication with the network the tower and the "sector(s)" (i.e. the face(s) of the tower(s)) that received a radio signal from the locally served wireless device for both starting and ending points of the communication;
 - iv. the service type for the communication;
 - v. the estimated latitude and longitude (along with confidence level) and the distance from the tower for both the starting and ending points of the communication contained within the Timing Advance, RTT, and/or LocDBoR records.
- D. These records should include records about communications and cellular device interactions with the network that were initiated before or terminated after the timeframe(s) identified in above if some part of the communication occurred during the relevant timeframe(s) listed above;

The above-described evidence is located within the following described premises:

T-Mobile

Attn: Law Enforcement Relations Group 4 Sylvan Way Parsippany, NJ 07054

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within 7 days of issuance, and is authorized for daytime AND nighttime service (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. And 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, T-MOBILE/T-MOBILE AMERICA IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

T-MOBILE/T-MOBILE AMERICA SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

	UNDER	MY	HAND	and	DATED	this	26th	 day of	Noven	nber,	2022,	a
1:40				m.			1	AN W	Mas	hall	1	
							Magis			204	<u></u>	-

In the Matter of the Application)	Case No. CR29-
For a Search Warrant for:)	
)	
T-Mobile)	SEARCH WARRANT
Attn: Law Enforcement Relations Group)	
4 Sylvan Way)	
Parsippany, NJ 07054)	
)	
)	
MPD Case No. 22-M09903)	

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe property consists of records and information associated with certain cellular towers ("cell towers") and records generated by the cellular network that are in the possession, custody, and/or control of T-Mobile, hereafter "the Service Provider," a cellular service provider; for data is in possession of the Service Provider and that the data may contain of a homicide between November 13, 2022 from 3:00 a.m. to 5:00 a.m. (Pacific Standard Time) including the following:

A. Search of all records and unique device/user identifiers pertaining to Timing Advance, Real Time Tool (RTT), Location Database of Record (LocDBoR)

SEARCH WARRANT

1

REDACTED

location information during the following listed dates, times and geographical boundaries (distance from GPS points):

GPS Coordinates: Date: November 13, 2022 Distance from Location: 0.50 miles Time: 3:00 a.m. - 5:00 a.m. (PST)

- B. For each search area described above, the Service Provider is required to disclose all records and other information (not including the contents of communications) about all communications made and all cellular device interactions with the network that have generated location information that falls within the defined search area during the corresponding timeframe(s) listed above, including records that identify:
 - i. the unique identifiers for each wireless device that generated a Timing Advance, RTT, and/or LocDBoR record within the search area for each location, including Electronic Serial Numbers ("ESN"), Mobile Electronic Identity Numbers ("MEIN"), Mobile Identification Numbers ("MIN"), Subscriber Identity Modules ("SIM"), Mobile Subscriber Integrated Services Digital Network Numbers ("MSISDN"), International Mobile Subscriber Identifiers ("IMSI"), International Mobile Equipment Identities ("IMEI"), and the make and model of the device;
 - ii. the starting and ending date/time of the connection along with the duration:
 - iii. for each communication with the network the tower and the "sector(s)" (i.e. the face(s) of the tower(s)) that received a radio signal from the locally served wireless device for both starting and ending points of the communication;
 - iv. the service type for the communication;
 - v. the estimated latitude and longitude (along with confidence level) and the distance from the tower for both the starting and ending points of the communication contained within the Timing Advance, RTT, and/or LocDBoR records.
- C. These records should include records about communications and cellular device interactions with the network that were initiated before or terminated after the timeframe(s) identified in above if some part of the communication occurred during the relevant timeframe(s) listed above;

The above-described evidence is located within the following described premises:

T-Mobile

Attn: Law Enforcement Relations Group 4 Sylvan Way Parsippany, NJ 07054

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within 7 days of issuance, and is authorized for daytime AND nighttime service (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. And 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, T-MOBILE/T-MOBILE AMERICA IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

T-MOBILE/T-MOBILE AMERICA SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER MY	HAND and	l DATED	this	16th	day	of November	, 2022,	a
9:27		<u> </u>							
					m	egan	Marsh	all	
					Magistra	ate Jud	ge		-

Filed: 03/07/2023 14:26:52

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

T-Mobile 4 Sylvan Way Parsippany, NJ 07054

Latah County, Idaho MPD Case No. 22-M09903 Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D) and I.C. §74-124(1)(c), the court finds it necessary to seal the records related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person;
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals; and
- (3) Disclosure would constitute an unwarranted invasion of personal privacy.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

T-Mobile 4 Sylvan Way Parsippany, NJ 07054

Latah County, Idaho MPD Case No. 22-M09903 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until February 16, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 19th day of November, 2022.



LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

T-Mobile 4 Sylvan Way Parsippany, NJ 07054

Latah County, Idaho MPD Case No. 22-M09903 Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

- 1. Interfere with enforcement proceedings;
- 2. Constitute an unwarranted invasion of personal privacy,

- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this \(\sum_{\text{N}} \) day of November, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE MICHAEL G. CAVANAGH
DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
ISB No. 7427
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Ap	plication)	
For a Search Warrant f	for:)	Case No.
T-Mobile)	RETURN OF
4 Sylvan Way)	SEARCH WARRANT
Parsippany, NJ 07054)	
MPD Case No. 22-M0	9903)	
STATE OF IDAHO)		
	:SS.		
County of Latah)		

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 3:26 o'clock p.m.., this 18th day of November, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

<u>11/18/2022</u> (Date) Reace Officer

AFFIDAVIT OF (OFFICER)

STATE OF IDAHO	
	:ss
County of Latah)

I, Lawrence Mowery, being duly sworn, do hereby state the following information is true and correct to the best of my knowledge and belief:

- (1) That I am employed by the Moscow Police Department in the official position of Detective;
- (2) Affidavit has been a trained and qualified peace office for 12 years;
- (3) I currently work the day shift, 7:00 a.m. to 5:00 p.m.;
- (4) On November 16, 2022, I obtained a search warrant for TMobile Call Data Records;
- (5) The warrant was served on November 17, 2022, via Snapchat Law Enforcement Portal;
- (6) On November 18, 2022, I received an email with the requested data;
- (7) On November 18, 2022, I downloaded the data and an inventory was prepared for all the items received;
- (8) A copy of the inventory receipt was emailed to

and

(9) The information received was placed into evidence at Moscow Police Department.

FURTHER your Affiant sayeth not.

<u>Detective Lawrence Mowery - 162</u> Affiant

I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

November 18, 2022 (Date)

(Signature

IN THE MATTER OF) Case No
THE APPLICATION	
FOR A SEARCH WARRANT FOR) RECEIPT AND
Case # 22-M09903) INVENTORY OF WARRANT
TMobile Call Data Records On the 17 day of November, 2022, The following peace officers: Det Lawrence Served the Search Warrant heretofore issue	
111100110 0811 2488 1200100	- / \.
On the 17 day of November, 2022,	at approximately 1029 o'clock A.M.,
The following peace officers: Det Lawrence	e Mowery
Therein as directed in said Search Warrant. En	trance was obtained by: email
The property found and taken and the locat are as follows:	ion within or upon said place and/or person(s)
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Data Records associated with	
Data 17000140 Habitation 1711	
,	X\
	1 OF 2 PAGES
RECEIPT AND INVENTORY	1 OF 2 PAGES
PAGE	

This Receipt and Inventory was made in the p	resence of: n	⁄a	
A copy hereof was given to the following na	amed person(s)	on thei	ay of
A copy hereof was left on this date in a c	conspicuous pla	ce in the place se	earched, there
peing no person(s) present during said search:	Email		<u>) </u>
DATED this 18 day of Nove	mber, 2022		
	•	An.	
WITNESS	PEAC	E OFFICER	
		hannaf an thia	dov
The undersigned person(s) hereby acknowled	ge receiving a co	py hereof on this	day
of ;			
RECEIPT AND INVENTORY PAGE	2	OF 2	PAGES

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
ISB No.8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
T-Mobile)	
Attn: Law Enforcement Relations Group)	ORDER
4 Sylvan Way)	
Parsippany, NJ 07054)	
MPD Case No. 22-M09903)	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED	11/19/22 at 6:58 p.m.	
DILLE		

Megan E. Marshal Magistrate Judge

In the Matter of the Application)	Case No. CR29-
for a Search Warrant for:)	
)	
T-Mobile or T-Mobile America Records)	SEARCH WARRANT
4 Sylvan)	
Parsippany, NJ 07054)	
/ ")	
MPD Case No. 22-M09903)	

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe property consists of certain evidence of the crime(s) of homicide to-wit, user account information, location data, and stored communications held by T-Mobile, described in further detail as follows:

To the extent that the information is within the possession, custody, or control of T-Mobile, hereafter "the Service Provider," including any messages, records, files, logs, or information that have been deleted but are still available to the Service Provider or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), the Service Provider is required to disclose the following information to the government for the following listed account(s) and/or number(s):

SEARCH WARRANT

REDACTED

ı

For the time period of: August 1, 2022 to Present

T-Mobile Wireless Number: Subscriber Name: Unknown

T-Mobile Wireless Number: Subscriber Name: Unknown

To include both Historical Records and Real Time/Provisional Records

- 1. All customer/subscriber information, including any listed addresses, other listed telephone number(s), social security number(s), dates of birth, name(s), address(es), any other customer identifying information, mobile handset or device identifiers/serial numbers (MEID, ESN, IMSI, IMEI, SUPI), activation date and deactivation date, and point of purchase or location device was purchased if applicable.
- Device Purchase Information. This is specifically to include the Date, Time and Location of where the device or any pre-paid refill cards were purchased as well as any information maintained about the purchase to include store name, store number, terminal number, and amount of purchase.
- 3. Any email addresses associated with the account or with the device that is currently on file and stored in the normal course of business of the Service Provider.
- 4. Call detail records, including detailed information in reference to all known outgoing and incoming calls associated with the account, dates and times calls were made, and duration of all calls made or received. This is to include any other pertinent call detail records including special features codes, or any other codes that are maintained in the normal course of business for the Service Provider, of any cellular numbers identified in the course of the investigation. In addition to voice calls, this would also include any detail records showing text messages, MMS messages, or data activity.
 - a. In the event the requested Call Detail Records contain other Service Provider customer numbers, identified as either incoming or outgoing calls, the Service Provider will provide subscriber information to the specific numbers identified, if requested.

- 5. Cell site information, to include all known cell towers associated with outgoing and incoming calls (Call Detail Records). This information is to include any sector information, azimuth for each identified sector, cell site location, handoff tower and sector, time on tower information, and any other related material that would be necessary to identify the location and sector in reference to the cell site information associated with the call detail records. In the event text messages, MMS messages, Data activity, including IP sessions and destination addresses that were produced, these records are also included in this request.
- 6. Cell site locations for all Service Provider Cell Sites, sector information, including azimuth headings, in the regional market associated with the requested cell site information.
- 7. Location information, to include any estimated or known longitude and latitude of the cellular device's current location, or approximate location, information received by cell tower(s) in reference to direction and distance from the tower a device may be located (timing and triangulation information). Radio Frequency signal strengths, direction, and transmission information. The geographical constraints of location information will be limited to the United States.
- 8. Location information can be in the form of historical records. This would include any reports of device activity that would include the approximate latitude and longitude of the device at the time of the activity, estimated margin of error, direction and distance from the tower, and other location related information commonly referred to as Real Time Tool (RTT), Timing Advance Information, Location Database of Record (LocDBoR). This further includes any other report similar in nature that would provide an estimate of the cellular phone on the Service Provider's network.
- All text message and/or MMS messages, including message content, currently stored in the normal course of business for the Service Provider, to include any cloud services which allow for the long-term storage of both voicemails and SMS/MMS messages.
- 10. Cloud Data, any content that may have been backed up to Cloud Storage for the listed dates/times. If said Cloud Storage has been provided by a third-party provider, please provide relevant contact information for that provider.
- 11. It is further requested that all records and information required, if any, pursuant to the search warrant, be provided in a commercially reasonable electronic format such as Microsoft Excel and that those records be delivered via electronic mail to Detective Lawrence Mowery at

The above-described evidence is located within the following described premises:

T-Mobile

Attn: Law Enforcement Relations Group 4 Sylvan Way Parsippany, NJ 07054

Please provide this information to Lawrence Mowery at digital format on a compact disk in Excel, PDF or TXT format.

. in

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within 7 days of issuance, and is authorized for daytime or nighttime service (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, T-MOBILE/T-MOBILE AMERICA IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

T-MOBILE/T-MOBILE AMERICA SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN UNDER MY HAND and DATED this 16th day of November, 2022, at 9:26 p.m.

Megan (Marshall Magistrate Judge

Filed: 03/07/2023 14:43:20

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No. CR29-22-2805

Umpqua Bank 609 South Washington Street Moscow, Idaho 83843 ORDER TO SEAL AND REDACT

MPD Case No. 22-M09903

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, the court finds it necessary to seal in part and redact the record related to the search warrant because the documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person. I.C.A.R. 32(i)(2)(A). After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant and the Amended Affidavit in Support of Search Warrant be SEALED.
- 2. The Search Warrant, Amended Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Umpqua Bank 609 South Washington Street Moscow, Idaho 83843

MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 6, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/5/22 P 4:14 DM

Magistrate Judge

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

Umpqua Bank 609 South Washington Street Moscow, Idaho 83843 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 5th day of December, 2022.

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491

paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Umpqua Bank)	ORDER
609 South Washington Street)	
Moscow, Idaho 83843)	
. ()))	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/5/22 0 4:14 DM.

Megan E. Marshall Magistrate Judge

ORDER 2

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

)
In the Matter of the A	pplication) Case No. CR29-
For a Search Warrant	for:)
)
Umpqua Bank) RETURN OF
609 South Washingto	n Street) SEARCH WARRANT
Moscow, Idaho 83843)
	A = A)
MPD Case No. 22-M	09903)
STATE OF IDAHO)	
	:ss.	
County of Latah)	

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E.

Marshall at 1000 o'clock A.m., this 5 day of District, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/5/22 (Date)

Peace Officer

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF I	·
County of La	tah)
I, Lav	vrence Mowery, being duly sworn, do hereby state the following information is true and
correct to the	best of my knowledge and belief:
(1)	That I am employed by Moscow Police Department in the official position of Forensic
	Detective;
(2)	Affidavit has been a trained and qualified peace office for 12 years;
(3)	On 11/19/22, I obtained a search warrant for Umpqua;
(4)	The warrant was served on 11/21/2022 and 11/22/2022, by FedEx and email (fax,
	email, etc);
(5)	On 11/23/22, I received an e-mail from Umpqua which contained the requested
	information;
(6)	An inventory was prepared for all the items received; and
(7)	The information received was placed into evidence at the Moscow Police Department.
FUR?	THER your Affiant sayeth not.
	Lawrence Mowery
I cert	Affiant ify (or declare) under penalty of perjury pursuant to the law the State of Idaho that
the foregoing	g is true and correct.
12/05	1/2022 En 162
(Date	

IN THE MATTER OF	Case No.
THE APPLICATION	
FOR A SEARCH WARRANT FOR	
Umpqua Bank	RECEIPT AND
609 South Washington Street	INVENTORY OF WARRANT
Moscow, Idaho 83843	
On the 22 day of November	, 2022, at approximately 1:21 o'clock P.M.,
the following peace officers: Detective Lawre	ence Mowery
served the Search Warrant heretofore issued u	upon the place and/or person(s) described therein as
	s obtained by: FedEx and Email:
directed in said Search warrant. Entrance wa	is obtained by: reads and email.
	·
The second of Country and whose warms	
The person(s) found in said place were:	
	·
	11 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
	ation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Security Video	609 S Washington Street, Moscow, ID 83843
	4

RECEIPT AND INVENTORY

PAGE 1 OF 2 PAGES

This Receipt and Inventory was made in the presence of:	
A copy hereof was given to the following named person(s) on the	ay of
A copy hereof was left on this date in a conspicuous place in the place searched, there being person(s) present during said search: DATED this day of December	ng no
WITNESS PEACE OFFICER	
The undersigned person(s) hereby acknowledge receiving a copy hereof on this d	ay of

In the Matter of the Application for a Search Warrant for:

Umpqua Bank 609 South Washington Street Moscow, Idaho 83843

MPD Case No. 22-M09903

Case No.

ASJ 12/5/22 AFFIDAVIT FOR SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises consists information related to a crime(s) of homicide committed at 1122 King Road in Moscow, Idaho for exterior camera surveillance footage from November 12, 2022 at 9:00 p.m. PST to November 13, 2022 at 12:00 p.m. PST; located in or upon the following described premises, located in Latah County, State of Idaho:

Umpqua Bank 609 South Washington Street Moscow, ID 83843

With service of warrant at:

Umpqua Bank -Legal Processing

PO Box 1820 Roseburg, OR 97470

6:45

YOU ARE THEREFORE COMMANDED TO SEARCH the	above-described premises for the
property described above, TO SEIZE it if found and bring it prom	
THIS WARRANT SHALL BE EXECUTED WITHIN 7	
AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to	Idaho Criminal Rule 41, "daytime"
means the hours between 6:00 a.m. and 10:00 p.m. local time).	
CIVEN UNIDED MV HAND and DATED this 19th	day of Marrowsham 2022 at

<u>Megan (Marshall</u> Magistrate Judge

Filed: 03/07/2023 14:45:25

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

United Parcel Service (UPS) 615 North Grand Ave Pullman, WA 99163

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, the court finds it necessary to seal in part and redact the record related to the search warrant because the documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person. I.C.A.R. 32(i)(2)(A). After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant and the Amended Affidavit in Support of Search Warrant be SEALED.
- 2. The Search Warrant, Amended Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

United Parcel Service (UPS) 615 North Grand Ave Pullman, WA 99163

Case No.

ORDER SEALING SEARCH

WARRANT AND RELATED **DOCUMENTS**

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 14, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/15/22 9 12:00

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

United Parcel Service (UPS) 615 North Grand Ave Pullman, WA 99163 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this Hand day of December, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE WILLIAM W. THOMPSON PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No. 2613 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

)	
In the Matter of the A	pplication)	Case No. CR29-
For a Search Warrant	• -)	
United Parcel Service	(IPS))	RETURN OF
615 North Grand Ave)	SEARCH WARRANT
Pullman, WA 99163)	
MPD Case No. 22-M	09903	رُ	•
STATE OF IDAHO)		
C (CT -4-1	:ss.		
County of Latah)		

I, Detective Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 9:00 o'clock a.m., this 14th day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/14/2022 (Date)

Peace Officer

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF IDAHO) :ss.
County of Latah)
I, Lawrence Mowery, being duly sworn, do hereby state the following information is true and
correct to the best of my knowledge and belief:
(1) That I am employed by Moscow Police Department in the official position of Forensic
Detective;
(2) Affidavit has been a trained and qualified peace office for 12 years;
(3) On 12/2/22, I obtained an amended search warrant for UPS;
(4) The warrant was served on 12/5/2022, by email (fax, email, etc);
(5) On 12/05/22, I received an e-mail from UPS which contained the requested information;
(6) An inventory was prepared for all the items received; and
(7) The information received was placed into evidence at the Moscow Police Department.
FURTHER your Affiant sayeth not.
Lawrence Mowery Affiant
I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that
the foregoing is true and correct.
12/14/2022 (Date) (Signature)

IN THE MATTER OF THE APPLICATION	Case No.
FOR A SEARCH WARRANT FOR	< \
United Parcel Service (UPS)	RECEIPT AND
615 North Grand Ave	INVENTORY OF WARRANT
Pullman, WA 99163	
On the5_ day of December	, 20 <u>22</u> , at approximately <u>8:34</u> o'clock <u>A</u> .M.,
the following peace officers: Detective Lav	wrence Mowery
The person(s) found in said place were:	
	·
The property found and taken and the loas follows:	ocation within or upon said place and/or person(s) are
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Delivery Truck Video	
	<u> </u>

RECEIPT AND INVENTORY

PAGE 1 OF 2 PAGES

A copy hereof was given to	o the following named person(s) on the	day of
person(s) present during said	this date in a conspicuous place in the place search: ay of	
WITNESS	PEACE OFFICER	6~
WILLIADO		

LATAH COUNTY PROSECUTOR'S OFFICE WILLIAM W. THOMPSON PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.2613 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

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ORDER
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In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/15/22 12:00 PM.

Megan E. Marshall Magistrate Judge

ORDER 2

In the Matter of the Application for a Search Warrant for:

United Parcel Service (UPS) 615 North Grand Ave.

615 North Grand Ave.
Pullman, Washington, 99163

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Brett Payne, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime of homicide, to include:

 Any and all video that is recorded and stored on any delivery trucks that were in Moscow Idaho between the dates of November 6th 2022 through November 14th 2022,

located in or upon the following described premises:

United Parcel Service (UPS)

615 North Grand Ave. Pullman, Washington, 99163

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and bring it promptly before the Court abovenamed. THIS WARRANT SHALL BE EXECUTED WITHIN __7__ DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time).

GIVEN UNDER MY HAND and DATED this 2nd day of December, 2022, at 10:12 a.m.

Magistrate Judge

Filed: 03/07/2023 14:47:39

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Verizon Wireless Attn: Custodian of Records 180 Washington Valley Road Bedminster, NY 07921

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and I.C. §74-124(1)(e), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) Production of such records would disclose investigative techniques and procedures.

After due consideration and good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Verizon Wireless Attn: Custodian of Records 180 Washington Valley Road Bedminster, NY 07921

MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until February 28, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 15 day of November, 2022. @ 1:15 pm

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

1

LATAH COUNTY PROSECUTOR'S OFFICE WILLIAM W. THOMPSON, JR. PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 2613 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Verizon Wireless Attn: Custodian of Records 180 Washington Valley Road Bedminster, NY 07921 Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this day of November, 2022.

WILLIAM W. JIHOMPSON JR.
Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE William W. Thompson Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246

ISB No. 2613

paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application) Case No. CR29-
for a Search Warrant for:)
Verizon Wireless) RETURN OF SEARCH WARRANT
Attn: Custodian of Records)
180 Washington Valley Road)
Bedminster, NJ 07921)
. (1)
MPD Case No. 22-M09903	
STATE OF IDAHO)	
:ss.	
County of Latah)	

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 9:00 o'clock a.m., this 30 day of Novmeber, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

11 (30 / 2レ (Date)

eace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF IDAHO)
	:ss
County of Latah)

I, Lawrence Mowery, being duly sworn, do hereby state the following information is true and correct to the best of my knowledge and belief:

- That I am employed by Moscow Police Department in the official position of Forensic (1) Detective:
- Affidavit has been a trained and qualified peace office for 12 years; (2)
- On 11/16/22, I obtained a search warrant for Verizon Wireless Cell Tower; (3)
- The warrant was served on 11/17/2022, by email (fax, email, etc); (4)
- On 11/17/22, I received an e-mail from Verizon which contained the requested (5) information;
- An inventory was prepared for all the items received; and (6)
- The information received was placed into evidence at the Moscow Police Department. **(7)**

FURTHER your Affiant sayeth not.

LAURENCE MOWERY
Affiant

I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

11/35/22 (Date)

IN THE MATTER OF	Case No.
THE APPLICATION	
FOR A SEARCH WARRANT FOR	
Verizon Wireless	RECEIPT AND
180 Washing Valley Road	INVENTORY OF WARRANT
Bedminster, NJ 07921	
On the 17th day of November	, 20 <u>22</u> , at approximately <u>9:35</u> o'clock <u>a</u> .M.,
the following peace officers: Detective Law	vrence Mowery
6	
served the Search Warrant heretofore issued	l upon the place and/or person(s) described therein as
directed in said Search Warrant. Entrance v	
directed in Said Search Warrant. Entrance V	vas obtained by. <u>Iax oos es o ose</u>
The margan(a) found in said place were	
The person(s) found in said place were.	
	·
erri	estion within or amon said place and/or person(s) are
	cation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
GPS Coordiantes ,	

This Receipt and Inven-	ory was made in the p	presence of:	
		<u> </u>	
A conv hereof was give	n to the following nat	ned person(s) on the	day of
Treopy noteon was give		ned person(o) on the	aa, 01
A copy hereof was left	on this date in a consp	icuous place in the place search	ed, there being no
person(s) present during sa	id search:		
DATED this 30	day of N	ovember , 20 <u>22</u> .	
		100 167	۷
WITNESS		PEACE OFFICER	
The undersigned person	n(s) hereby acknowle	edge receiving a copy hereof on	this day of
	, 20	_:	
			

LATAH COUNTY PROSECUTOR'S OFFICE WILLIAM W. THOMPSON PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.2613 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
Verizon Wireless)	ORDER
Attn: Custodian of Records)	
180 Washington Valley Road)	
Bedminster, NJ 07921)	
)	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/1/22 @ 1:15 PM.

Megan E. Marshall Magistrate Judge

In the Matter of the Application) Case No. CR2	9-
for a Search Warrant for:)	
Varian Windon) SEARCH WA	DDANT
Verizon Wireless) SEARCH WA	KKAINI
Attn: Custodian of Records)	
180 Washington Valley Road)	
Bedminster, NJ 07921)	
)	
MPD Case No. 22-M09903)	

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Detective Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to that the property referred to and sought in or upon said premises consists of records and information associated with certain cellular towers ("cell towers") and records generated by the cellular network that are in the possession, custody, and/or control of Verizon Wireless, hereafter "the Service Provider," a cellular service provider; this data is in possession of the Service Provider and that the data may contain evidence of a homicide between November 13, 2022 from 3:00 a.m. to 5:00 a.m. (Pacific Standard Time) including the following:

A. Search of all records and unique device/user identifiers pertaining to Timing Advance, Real Time Tool (RTT), Location Database of Record (LocDBoR)

SEARCH WARRANT

1

REDACTED

location information during the following listed dates, times and geographical boundaries (distance from GPS points):

GPS Coordinates: Distance from Location: 0.50 miles
Date: November 13, 2022 Time: 3:00 a.m. - 5:00 a.m. (PST)

- B. For each search area described above, the Service Provider is required to disclose all records and other information (not including the contents of communications) about all communications made and all cellular device interactions with the network that have generated location information that falls within the defined search area during the corresponding timeframe(s) listed above, including records that identify:
 - i. the unique identifiers for each wireless device that generated a Timing Advance, RTT, and/or LocDBoR record within the search area for each location, including Electronic Serial Numbers ("ESN"), Mobile Electronic Identity Numbers ("MEIN"), Mobile Identification Numbers ("MIN"), Subscriber Identity Modules ("SIM"), Mobile Subscriber Integrated Services Digital Network Numbers ("MSISDN"), International Mobile Subscriber Identifiers ("IMSI"), International Mobile Equipment Identities ("IMEI"), and the make and model of the device;
 - ii. the starting and ending date/time of the connection along with the duration;
 - iii. for each communication with the network the tower and the "sector(s)" (i.e. the face(s) of the tower(s)) that received a radio signal from the locally served wireless device for both starting and ending points of the communication;
 - iv. the service type for the communication;
 - v. the estimated latitude and longitude (along with confidence level) and the distance from the tower for both the starting and ending points of the communication contained within the Timing Advance, RTT, and/or LocDBoR records.
- C. These records should include records about communications and cellular device interactions with the network that were initiated before or terminated after the timeframe(s) identified in above if some part of the communication occurred during the relevant timeframe(s) listed above;

The above-described evidence is located within the following described premises:

Verizon Wireless

Attn: Verizon Security Assistance Team 180 Washington Valley Road Bedminster, NJ 07921 Fax- 888-667-0026

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within 7 days of issuance, and is authorized for daytime and nighttime service (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, VERIZON IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

VERIZON SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER MY HAND and DA	TED this 16th	day of	November, 20)22, a
9:30	pm.				
			Megan E	Wasahall.	,
		$\overline{\overline{M}}$	agistrate Judge	manana.	

Filed: 03/07/2023 14:29:52 Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Verizon Wireless Attn: Custodian of Records 180 Washington Valley Road Bedminster, NY 07921

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D) and I.C. §74-124(1)(c), the court finds it necessary to seal the records related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person;
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals; and
- (3) Disclosure would constitute an unwarranted invasion of personal privacy.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Verizon Wireless, Custodian of Records 180 Washington Valley Road Bedminster, NJ 07921

Latah County, Idaho (MPD/LCSO/ISP) Case No. 22-M09903

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until February 16, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 19th day of November, 2022.



LATAH COUNTY PROSECUTOR'S OFFICE WILLIAM W. THOMPSON, JR.
PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 2613
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Verizon wireless, Custodian of Records 180 Washington Valley Road Bedminster, NJ 07921

Latah County, Idaho (MPD/LCSO/ISP) Case No. 22-M09903

Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 4 day of November, 2022.

WILLIAM W. THOMPSON, JR.
Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE MICHAEL G. CAVANAGH
DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
ISB No. 7427
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application For a Search Warrant for: Verizon Wireless Attn: Custodian of Records 180 Washington Valley Road MPD Case No. 22-M09903))))	Case No. RETURN OF SEARCH WARRANT	
STATE OF IDAHO County of Latah) :ss.)			

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

11/17/2022 (Date) Reace Officer

AFFIDAVIT OF (OFFICER)

STATE OF IDAHO)
	:SS
County of Latah)

I, Lawrence Mowery, being duly sworn, do hereby state the following information is true and correct to the best of my knowledge and belief:

- (1) That I am employed by the Moscow Police Department in the official position of Detective;
- (2) Affidavit has been a trained and qualified peace office for 12 years;
- (3) I currently work the day shift, 7:00 a.m. to 5:00 p.m.;
- (4) On November 16, 2022, I obtained a search warrant for Verizon Phone Records;
- (5) The warrant was served on November 17, 2022, via fax to 888-667-0026;
- (6) On November 17, 2022, I received an email directing me to a secure download for the requested data;
- (7) On November 17, 2022, I downloaded the data and an inventory was prepared for all the items received;
- (8) A copy of the inventory receipt was emailed to

and

(9) The information received was placed into evidence at Moscow Police Department.

FURTHER your Affiant sayeth not.

<u>Detective Lawrence Mowery - 162</u> Affiant

I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

November 17, 2022 (Date)

(2181191711)

IN THE MATTER OF) Case No
THE APPLICATION	
FOR A SEARCH WARRANT FOR) RECEIPT AND
Case # 22-M09903) INVENTORY OF WARRANT
Verizon Phone Records	<u> </u>
On the 17 day of November, 2022,	at approximately 0935 o'clock A.M.,
The following peace officers: Det Lawre	nce Mowery
Served the Search Warrant heretofore is	ssued upon the place and/or person(s) described
Therein as directed in said Search Warrant. E	Entrance was obtained by: fax 888-67-0026
The person(s) found in said place were:	
· / / / -	
	11 1 3/
The property found and taken and the loc	cation within or upon said place and/or person(s)
are as follows:	
ale as follows.	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
-	
Data Records associated with	
3	
	- 2
RECEIPT AND INVENTORY	1 OF 2 PAGES

A copy hereof was given to the following na	amed person(s) on thelay of
	\times
<u> </u>	
being no person(s) present during said search: DATED this 17 day of Nove	ember, 2022
WITNESS	PEACE OFFICER
The undersigned person(s) hereby acknowled	ge receiving a copy hereof on this da
of	ge receiving a copy nercer on any
	2 OF 2 PAG

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
ISB No.8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
Verizon Wireless)	ORDER
Attn: Custodian of Records)	
180 Washington Valley Road)	
Bedminster, NJ 07921)	
)	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

1

ORDER

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED	11/19/22 at 7:01 p.m.	
DATED	1 !/ 19/22 at 7.01 p.m.	

Megan C Marshall
Megan E. Marshall
Magistrate Judge

In the Matter of the Application)	Case No. CR29-
for a Search Warrant for:)	
)	
Verizon Wireless)	SEARCH WARRANT
Attn: Custodian of Records)	
180 Washington Valley Road)	
Bedminster, NJ 07921)	
)	
MPD Case No. 22-M09903		·

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe property consists of certain evidence of the crime(s) of homicide to-wit, user account information, location data, and stored communications held by Verizon Wireless, described in further detail as follows:

To the extent that the information is within the possession, custody, or control of Verizon Wireless, hereafter "the Service Provider," including any messages, records, files, logs, or information that have been deleted but are still available to the Service Provider or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), the Service Provider is required to disclose the following information to the government for the following listed account(s) and/or number(s):

For the time period of: August 1, 2022 to Present

SEARCH WARRANT

REDACTED'

Verizon Wireless Number:

Subscriber Name: Unknown at this time

Verizon Wireless Number:

Subscriber Name: Unknown at this time

Verizon Wireless Number:

Subscriber Name: Unknown at this time

To include both Historical Records and Real Time/Provisional Records

- 1. All customer/subscriber information, including any listed addresses, other listed telephone number(s), social security number(s), dates of birth, name(s), address(es), any other customer identifying information, mobile handset or device identifiers/serial numbers (MEID, ESN, IMSI, IMEI, SUPI), activation date and deactivation date, and point of purchase or location device was purchased if applicable.
- 2. Device Purchase Information. This is specifically to include the Date, Time and Location of where the device or any pre-paid refill cards were purchased as well as any information maintained about the purchase to include store name, store number, terminal number, and amount of purchase.
- 3. Any email addresses associated with the account or with the device that is currently on file and stored in the normal course of business of the Service Provider.
- 4. Call detail records, including detailed information in reference to all known outgoing and incoming calls associated with the account, dates and times calls were made, and duration of all calls made or received. This is to include any other pertinent call detail records including special features codes, or any other codes that are maintained in the normal course of business for the Service Provider, of any cellular numbers identified in the course of the investigation. In addition to voice calls, this would also include any detail records showing text messages, MMS messages, or data activity.
 - a. In the event the requested Call Detail Records contain other Service Provider customer numbers, identified as either incoming or outgoing calls, the Service Provider will provide subscriber information to the specific numbers identified, if requested.

- 5. Cell site information, to include all known cell towers associated with outgoing and incoming calls (Call Detail Records). This information is to include any sector information, azimuth for each identified sector, cell site location, handoff tower and sector, time on tower information, and any other related material that would be necessary to identify the location and sector in reference to the cell site information associated with the call detail records. In the event text messages, MMS messages, Data activity, including IP sessions and destination addresses that were produced, these records are also included in this request.
- 6. Cell site locations for all Service Provider Cell Sites, sector information, including azimuth headings, in the regional market associated with the requested cell site information.
- 7. Location information, to include any estimated or known longitude and latitude of the cellular device's current location, or approximate location, information received by cell tower(s) in reference to direction and distance from the tower a device may be located (timing and triangulation information). Radio Frequency signal strengths, direction, and transmission information. The geographical constraints of location information will be limited to the United States.
- 8. Location information can be in the form of historical records. This would include any reports of device activity that would include the approximate latitude and longitude of the device at the time of the activity, estimated margin of error, direction and distance from the tower, and other location related information commonly referred to as Real Time Tool (RTT), Timing Advance Information, Location Database of Record (LocDBoR). This further includes any other report similar in nature that would provide an estimate of the cellular phone on the Service Provider's network.
- All text message and/or MMS messages, including message content, currently stored in the normal course of business for the Service Provider, to include any cloud services which allow for the long-term storage of both voicemails and SMS/MMS messages.
- 10. Cloud Data, any content that may have been backed up to Cloud Storage for the listed dates/times. If said Cloud Storage has been provided by a third-party provider, please provide relevant contact information for that provider.
- 11. It is further requested that all records and information required, if any, pursuant to the search warrant, be provided in a commercially reasonable electronic format such as Microsoft Excel and that those records be delivered via electronic mail

to Detective Lawrence Mowery at

The above-described evidence is located within the following described premises:

Verizon Wireless
Attn: Verizon Security Assistance Team
180 Washington Valley Road
Bedminster, NJ 07921
Fax- 888-667-0026

Please provide this information to Lawrence Mowery at digital format on a compact disk in Excel, PDF or TXT format.

in

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within 7 days of issuance, and is authorized for daytime or nighttime service (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, VERIZON IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

VERIZON SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN 9:28	UNDER	MY	HAND	and m.	DATED	this	16th	7	day	of N	November,	, 2022,	at
								Meg	an	E7	Narsha	ell	_
							M	agistrate	Judg	ze .			

Filed: 03/07/2023 14:49:56

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Wal-Mart Stores Inc. Attn Legal Department 702 SW 8th St Bentonville, AR 72716

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, the court finds it necessary to seal in part and redact the record related to the search warrant because the documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person. I.C.A.R. 32(i)(2)(A). After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant and the Amended Affidavit in Support of Search Warrant be SEALED.
- 2. The Search Warrant, Amended Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2023

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Wal-Mart Stores Inc. Attn Legal Department 702 SW 8th St Bentonville, AR 72716

MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 14, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/15/226 11:58 am

Magistrate Judge

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

1

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Wal-Mart Stores Inc.
Attn Legal Department
702 SW 8th St
Bentonville, AR 72716

Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this Way of December, 2022.

ASHLEY S. JHNNINGS
Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Applica	ation)	Case No. CR29-
For a Search Warrant for:)	
Wal-Mart Stores Inc. Attn Legal Department 702 SW 8 th St Bentonville, AR 72716).).)	RETURN OF SEARCH WARRANT
MPD Case No. 22-M0990	3		
STATE OF IDAHO)			
:ss. County of Latah)			

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 9 o'clock a.m., this 14th day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/14/2022 (Date) Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF ID		
County of Late	:ss. ah)	
I, Law	тепсе Mowery, being duly s	worn, do hereby state the following information is true and
correct to the b	best of my knowledge and b	elief:
(1)	That I am employed by Mo	scow Police Department in the official position of Forensic
	Detective;	
(2)	Affidavit has been a traine	d and qualified peace office for 12 years;
(3)	On 11/21/22, I obtained a	search warrant for Walmart;
(4)	The warrant was served or	n 11/28/22, by email (fax, email, etc);
(5)	On 12/09/2022, I received	l an e-mail from Walmart which contained the requested
	information;	
(6)	An inventory was prepare	d for all the items received; and
(7)	The information received	was placed into evidence at the Moscow Police Departmen
FUR?	THER your Affiant sayeth n	not.
		LAURENCE MONELY Affiant
I cert	tify (or declare) under pena	lty of perjury pursuant to the law the State of Idaho that
	g is true and correct.	
12/14 (Date	<u>4/2022</u> e)	(Signature)
(Dan	- /	The state of the s

IN THE MATTER OF THE APPLICATION	Case No.
FOR A SEARCH WARRANT FOR	
Wal-Mart Stores Inc.	RECEIPT AND
702 SW 8th St	INVENTORY OF WARRANT
Bentonville, AR 72716	
On the 28th day ofNovember	, 20 <u>22</u> , at approximately <u>1:16</u> o'clock <u>P</u> .M.,
	vrence Mowery
served the Search Warrant heretofore issued	l upon the place and/or person(s) described therein as
directed in said Search Warrant. Entrance v	was obtained by:
The person(s) found in said place were:	
The property found and taken and the lo	cation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
Ka-Bar KA1217S, USMC Fighting Knife Sheat	<u>th</u>
Ka-Bar Full Size USMC Straight Edge Knit	<u> </u>
	_

RECEIPT AND INVENTORY

PAGE 1 OF 2 PAGES

	owing named person(s) on the	day of
	20;	
A copy hereof was left on this date i	in a conspicuous place in the place search	ed, there being no
person(s) present during said search:		
DATED this 14 day of	<u>December</u> , 20 <u>22</u> .	
	15m 16	<u> </u>
WITNESS	AEACE OFFICER	
		this day o

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Wal-Mart Inc.)	
Attn Legal Department)	ORDER
702 SW 8 th St)	
Bentonville, AR 72716)	
)	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

ORDER 1

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/15/220 11:58 am.

Megan E. Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for:

Wal-Mart Stores Inc. Attn Legal Department 702 SW 8th St Bentonville, AR 72716

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe that the property referred to and sought in or upon said premises consists of records and/or documents ("records" and "documents" mean any and all tangible forms of expression in your possession, custody, or control, in any language or format, and include, but are not limited to, writings, papers, and tape recordings, electronic video and audio recordings (e.g. video surveillance), microform, electromagnetic recordings, optical recordings, electronic files or records, photographs, drafts, finished versions, originals, and copies, however created, produced, or stored. Video



surveillance/images pertaining to account transactions (to include account opening, deposit, withdrawals, etc.) are included with this subpoena request. Supporting information can be provided to help identify surveillance video/images for some of the transactions) for the crime(s) of homicide in the possession or control of Wal-Mart related to the sales of the following items for the period of January 1, 2022 to present:

- 1. Ka-Bar KA1217S, USMC Fighting Knife Sheath;
- 2. Ka-Bar Full Size USMC Straight Edge Knife;

The records shall include but are not limited to:

- All Open and Closed accounts: all records pertaining to the individuals(s) or business
 entities identified in this letter whether held jointly or severally or as trustee or fiduciary
 as well as custodian, executor or guardian, as well as any other entity in which these
 individual(s) or entities may have a financial interest; includes all accounts in which these
 individuals had signatory authority and/or the right of withdrawal; these records should
 include:
 - o Signature cards.
 - o Statement Data/Monthly Account Statements.
 - o Identification of and name assigned on all Debit Cards on account.
 - Deposits and supporting documentation including but not limited to evidence of cash, cancelled deposited checks front and back, transfers from other accounts including full account number and name, and other credit information.
 - Checks and other withdrawals including but not limited to cancelled checks front and back, withdrawals and offsets, evidence of cash withdrawals, transfers from other accounts including account number and name, other debit information.
 - Wire transfers in and out including wire transfer instructions and evidence of requestor if possible.
 - O Evidence of cash transactions and identifying information of individuals conducting cash transactions.
 - Identification of sender or recipient bank, full account number, and account name on ACH transfers, online transfers, teller transfers, or other transfers.
 - Electronic/Internet records: for those customers who engage in online banking with your financial institution, the following information pertaining to that online banking account: usernames or other identifying information for the account; e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter; historical access logs for authentication to the account

including Internet Protocol (IP) addresses for this account and date, time and duration of each session.

- Credit Card records (e.g. MasterCard and Visa): including customer's application, signature card, credit or background investigations conducted, correspondence, monthly billing statements, individual charge invoices, repayment records, disclosing the date, amounts and method of repayment, checks used to make repayments (front and back).
- Correspondence: all records of correspondence/communication between the customer and the financial institution relating to the above services or for any other purpose, including customer service inquiries or requests for assistance.
- Other records: all applications, forms, and other written documents completed by the customer; records of certified checks, wire transfers, or collections, letter credit, bonds and securities purchased through your financial institution, savings bond transaction and investment accounts. Such records that disclose the date and amount of the transaction, method (cash or check) and source of payment, instruments and statements of transactions; all correspondence with the above individual(s)/entities and/or with third parties regarding the above individual(s)/entities; all memoranda, notes, files, or records relating to meetings or conversations concerning the above individual(s)/entities.

Located at the following premises:

Wal-Mart Stores Inc ATTN Legal Department 702 SW 8th St Bentonville AR 72716 Ph: 479-277-5619 Email:

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and bring it promptly before the Court above-named. THIS WARRANT SHALL BE EXECUTED WITHIN _7 __ DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time), and UNDER THE FOLLOWING SPECIAL DIRECTIONS:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, WAL-MART IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

WAL-MART SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN 4:36	UNDER	MY I	_	and .m.	DATED	this	21st	d	ay of	November,	2022, at
		<u>-</u>					<i>Mega</i> Magistra	an Co	Mars	hall	

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Wal-Mart Stores Inc. Attn Legal Department 702 SW 8th St Bentonville, AR 72716

MPD Case No. 22-M09903

Case No.

ORDER FOR EXTENSION TO RETURN SEARCH WARRANT

The above matter having come before the Court based upon the motion of the State, and good cause appearing:

IT IS HEREBY ORDERED that the time for which the above referenced search warrant shall be returned is extended to March 6, 2023.

SO ORDERED this

CERTIFICATE OF DELIVERY

	ue and correct copies of the ORDER FOR WARRANT were served on the following in the
William W. Thompson, Jr. Latah County Prosecuting Attorney Latah County Courthouse Moscow, ID 83843	☐ Mailed ☐ E-filed & Served / E-mailed ☐ Faxed ☐ Hand Delivered
Dated 12 5 22	
	TONYA DODGE Latah County Clerk of the Court By: Denote Clerk

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Wal-Mart Stores Inc. Attn Legal Department 702 SW 8th St Bentonville, AR 72716 Case No.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

MPD Case No. 22-M09903

The State of Idaho by and through Ashley S. Jennings, Latah County Sr. Deputy Prosecuting Attorney, moves this Court for an order extending the time for returning the above referenced search warrant which was issued on the 21st day of November, 2022 The search warrant was directed by the Court to be served within fourteen (14) days of issuance during business hours. The warrant was served by Detective Lawrence Mowery on the 28th day of November, 2022, by email. However, as of this date, the information has not been received.

MOTION FOR EXTENSION TO RETURN SEARCH WARRANT

Although the warrant was executed within the fourteen (14) day timeframe directed by I.C. 19-4412, the State is not able to comply with the timeframe within which to return the warrant and provide a written inventory. Accordingly, the State requests an extension of time for the return of the search warrant.

RESPECTFULLY SUBMITTED this ______ day of December, 2022.

ASHLEY S. JENNINGS

Sr. Deputy Prosecuting Attorney

Filed: 03/07/2023 14:51:50

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Yahoo! Custodian of Records Oath Holdings Inc. 701 First Ave Sunnyvale, CA 94089

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2023

Megan E. Marshal Magistrate Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Yahoo! Custodian of Records Oath Holdings Inc. 701 First Ave Sunnyvale, CA 94089 Case No.

ORDER SEALING SEARCH

WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 6, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/4/22 0 2:25 py

Magistrate Judge

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

1

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

Yahoo! Custodian of Records Oath Holdings Inc. 701 First Ave Sunnyvale, CA 94089 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

- 1. Interfere with enforcement proceedings;
- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 5th day of December, 2022.

LATAH COUNTY PROSECUTOR'S OFFICE Ashley S. Jennings Sr. Deputy Prosecuting Attorney Latah County Courthouse P.O. Box 8068 Moscow, ID 83843-0568 (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the A)	Case No. CR29-			
for a Search Warrant	for:)				
Yahoo!		ý				
Custodian of Records)	RETURN OF SEA	RCH WARRANT		
Oath Holdings Inc.))			
701 First Ave)	•			
Sunnyvale, CA 9408	9)				
MPD Case No. 22-M	09903	3				
STATE OF IDAHO)					
	:ss.			•		
County of Latah)					

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 4:00 o'clock p.m., this 5th day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/05/2022 (Date) REDACTED

Peace Officer

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF I	DAHO)		
County of La	tah	:ss.)		
		•		
I, Lav	vrence M	lowery, being d	uly sworn, do here	eby state the following information is true and
correct to the	best of r	ny knowledge a	and belief:	
(1)	That I	am employed by	y Moscow Police	Department in the official position of Forensic
	Detect	tive;		
(2)	Affida	wit has been a tr	rained and qualific	ed peace office for Twelve (12) years;
(3)	On De	ecember 01, 202	22, I obtained a sea	arch warrant for Yahoo;
(4)	The w	varrant was serve	ed on December (01, 2022, by email (fax, email, etc);
(5)	On D	ecember 02/20	22, I received a	n e-mail from Yahoo which contained the
	reques	sted information	ı;	
(6)	An in	ventory was pre	pared for all the it	tems received; and
(7)	The ir	nformation recei	ived was placed in	nto evidence at the Moscow Police Department.
FUR	THER y	our Affiant saye	eth not.	
				Lawrence Mowery
I cer	tify (or c	leclare) under p	enalty of perjury	Affiant pursuant to the law the State of Idaho that
the foregoin	g is true	and correct.		
12/0	5/2022			JEn 162
(Dat				(Signature)

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

IN THE MATTER OF THE APPLICATION	Case No.
FOR A SEARCH WARRANT FOR	×
Yahoo!	RECEIPT AND INVENTORY OF WARRANT
701 First Ave	INVENTORY OF WARRANT
Sunnyvale, CA 94089	
On the 1st day of December	, 20 <u>22</u> , at approximately <u>1:55</u> o'clock <u>p</u> .M.,
the following peace officers: Detective Law	vrence Mowery
<u> </u>	
served the Search Warrant heretofore issued	l upon the place and/or person(s) described therein as
directed in said Search Warrant. Entrance v	was obtained by:
https://lawenforcementrequests.oath.com	
The person(s) found in said place were:	
	
The property found and taken and the lo	cation within or upon said place and/or person(s) are
as follows:	X
DESCRIPTION OF PROPERTY	LOCATION/PERSON
DESCRIPTION OF PROFERT I	BOOM BASON

This Receipt and Inventory was made	le in the pr	resence of:	1001	
A copy hereof was given to the follo	wing nam	ed person(s) or	n the	day of
,	20;			
A copy hereof was left on this date i person(s) present during said search:	n a conspi	cuous place in	the place searched,	there being no
DATED this 5 day of	De	cember	, 20 <u>22</u>	
	_	12	FICER	
WITNESS		PEACE OF	FICER	
The undersigned person(s) hereby	acknowled	ge receiving a	copy hereof on this	sday of
	, 20	:		
				

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, Idaho 83843-0568 (208) 883-2246 ISB No.8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Yahoo!)	
Custodian of Records)	ORDER
Oath Holdings Inc.)	
701 First Ave)	
Sunnyvale, CA 94089)	
)	
MPD Case No. 22-M09903		

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/12/22 2:25 PM

Megan E. Marshall Magistrate Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No. CR29-
for a Search Warrant for:)	
)	
Yahoo!)	SEARCH WARRANT
Custodian of Records,)	
Oath Holdings Inc.)	
701 First Ave)	
Sunnyvale, CA 94089)	
)	
MPD Case No. 22-M09903)	•

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the crime of homicide on the Yahoo! account of Kaylee Goncalves with the email address

from August 1, 2022 to November 19, 2022 including:

• The contents of all emails associated with the account from August 1, 2022 to November 19, 2022, including stored or preserved copies of emails sent to and from the account, draft emails, the source and destination addresses associated with each email, the date and time at which each email was sent, and the size and length of each email;

REDACTED

- All records or other information regarding the identification of the account, to include full name, physical address, telephone numbers and other identifiers, records of session times and durations, the date on which the account was created, the length of service, the IP address used to register the account, log-in IP addresses associated with session times and dates, account status, alternative email addresses provided during registration, methods of connecting, log files, and means and source of payment (including any credit or bank account number);
- The types of service utilized;
- All records or other information stored by an individual using the account, including address books, contact and buddy lists, calendar data, pictures, and files; and
- All records pertaining to communications between the Provider and any
 person regarding the account, including contacts with support services and
 records of actions taken;

located at the following premises:

Yahoo! Custodian of Records, Oath Holdings Inc. 701 First Ave Sunnyvale, CA 94089

This court order will be electronically submitted to Yahoo! via email at

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within ___7_ days of issuance, and is authorized for daytime or nighttime service (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. PST), and under the following special directions:

**THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, YAHOO! IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

YAHOO! SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY	HAND	and	DATED	this	1st		day of	December	, 2022, at
12:18			<u>p</u>	m.							
							7	Mega	n M	Marshae	<u>ll</u>
							M	agistrate	Judge		

Filed: 03/07/2023 14:54:15 Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Yik Yak, Inc. 28475 Greenfield Rd, Suite 113, #7226 Southfield, MI 48076

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (E) and I.C. §74-124(1)(b), the court finds it necessary to seal in part and redact the record related the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) It is necessary to preserve the right to a fair trial.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

- 1. The Affidavit in Support of Search Warrant is SEALED.
- 2. The Search Warrant and Receipt and Inventory be REDACTED.
- 3. This order will remain in effect until further order of the court.

Dated: 3/7/2013

Megan E. Marshall Magistrate Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Yik Yak, Inc. 28475 Greenfield Rd, Suite 113, #7226 Southfield, MI 48076 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and throughout the entirety of case CR29-22-2805 or further order of the Court, whichever occurs first.

SO ORDERED this 240 day of February, 2023. C. 4:37 PM

Magistrate Judge

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Yik Yak, Inc. 28475 Greenfield Rd, Suite 113, #7226 Southfield, MI 48076

MPD Case No. 22-M09903

Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Deprive a person of a right to a fair trial or an impartial adjudication;
- 3. Constitute an unwarranted invasion of personal privacy,
- 4. Disclose the identity of a confidential source; and/or
- 5. Disclose investigative techniques and procedures.

And the State seeks this protection throughout the entirety of case CR29-22-2805.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this ______ day of February, 2023.

ASHLEY S. JENNONGS

Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE

Ashley S. Jennings
Sr. Deputy Prosecuting Attorney
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843-0568
(208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the A for a Search Warrant : Yik Yak, Inc. 28475 Greenfield Rd Southfield, MI 48076	for: , Suite 113, 1)) #7226))	Case No. CR29- RETURN OF SEARCH WAR	CH WARRANT
MPD Case No. 22-M	09903	<u> </u>		
STATE OF IDAHO) :ss.			
County of Latah)			

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 11:00 o'clock a.m., this 2 day of February, 2023.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

<u>2/2/2023</u> (Date)

Peace Officer

REDACTED

AFFIDAVIT OF DET. LAWRENCE MOWERY

STATE OF IDAHO)
	:ss
County of Latah)

I, Lawrence Mowery, being duly sworn, do hereby state the following information is true and correct to the best of my knowledge and belief:

- (1) That I am employed by the Moscow Police Department in the official position of Detective;
- (2) Affidavit has been a trained and qualified peace office for 12 years;
- (3) I currently work the day shift, 7:00 a.m. to 5:00 p.m.;
- (4) On January 25, 2023, I obtained a search warrant for YikYak;
- (5) The warrant was served on January 26, 2023, via YikYak Law Enforcement Portal;
- (6) On January 27, 2023, I received an email containing data pursuant to the warrant;
- (7) An inventory was prepared for all the items received;
- (8) A copy of the inventory receipt was emailed to

ınd

(9) The information received was placed into evidence at Moscow Police Department.

FURTHER your Affiant sayeth not.

<u>Detective Lawrence Mowery - 162</u> Affiant

I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

February 1, 2023 (Date)

Signature

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

IN THE MATTER OF THE APPLICATION FOR A SEARCH WARRANT FOR	Case No.
Yik Yak, Inc.	RECEIPT AND
28475 Greenfield Rd, Suite 113, #7226	INVENTORY OF WARRANT
Southfield, MI 48076	
On the 26 day of January	, 20 <u>23</u> , at approximately <u>8:32</u> o'clock <u>A</u> .M.,
	Mowery
60	
served the Search Warrant heretofore issued	upon the place and/or person(s) described therein as
directed in said Search Warrant. Entrance w	
The person(s) found in said place were:	
The property found and taken and the loc	ation within or upon said place and/or person(s) are
as follows:	
DESCRIPTION OF PROPERTY	LOCATION/PERSON
RECEIPT AND INVENTORY	PAGE 1 OF 3 PAGES

RECEIPT AND INVENTORY

DESCRIPTION OF PROPERTY	LOCATION/PERSON
<u>IMEI</u>	X
(A	
	<u></u>
	<u> </u>

A copy hereof was g	ven to the following named person((s) on the	day of
A copy hereof was le	A this data in a commissionary place	e in the place searched.	there being no
	n on this date in a consdictions blac	C III tile bidee searenies,	
	ft on this date in a conspicuous plac	o in the place scale	
person(s) present during			
person(s) present during	said search:		
person(s) present during			
person(s) present during	said search:day of February	, 20 <u>23</u> .	6
person(s) present during DATED this2	said search:day of February	, 20 <u>23</u> .	6
person(s) present during	said search:day of February	, 20 <u>23</u> .	6
person(s) present during DATED this2 WITNESS	said search:day of February	, 20 <u>23</u> . wrence Mowery E OFFICER	
person(s) present during DATED this2 WITNESS	said search:day of February	, 20 <u>23</u> . wrence Mowery E OFFICER	
person(s) present during DATED this2 WITNESS The undersigned pe	said search:day of February	, 20 <u>23</u> . wrence Mowery E OFFICER	
person(s) present during DATED this2 WITNESS The undersigned pe	said search: day of February	, 20 <u>23</u> . wrence Mowery E OFFICER	

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Yik Yak, Inc.)	ORDER
28475 Greenfield Rd, Suite 113, #7226)	
Southfield, MI 48076)	
)	
MPD Case No. 22-M09903;)	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

ORDER 1

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 2/2/2023 6 4:37 PM.

Megan E. Marshall Magistrate Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No. CR29-
for a Search Warrant for:)	
)	
Yik Yak, Inc.)	SEARCH WARRANT
28475 Greenfield Rd, Suite 113, #7226)	
Southfield, MI 48076)	
M09903 WOM)	
MPD Case No. 22-M07622		

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Detective Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe there is information related to the investigation of the homicide(s) of Madison Mogen, Kaylee Goncalves, Xana Kernodle, and/or Ethan Chapin at 1122 King Road, Moscow, Idaho on the Yik Yak account of Bryan Kohberger with any of the following IDENTIFIERS: Email address(es)

and/or

and/or

; and/or phone number

; and/or IMEI

generated on or between June 1, 2022 to present including:

- a. The unique User ID number of the account that is assigned by Yik Yak;
- b. Registration date and time for the accounts;
- c. Registration IP address of the accounts;
- e. Current usernames and tag numbers;
- f. If the users are paid subscribers, and any limited billing information;



- g. IP addresses and session start-timestamps for the last 90 days;
- h. Messages and attachments stored whether it is in a server or in a direct message regarding the above;

located in or upon the following described premises:

Yik Yak, Inc. 28475 Greenfield Rd, Suite 113, #7226 Southfield, MI 48076

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within 7 days of issuance, and is authorized for daytime service only (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. And 10:00 p.m. PST), and under the following special directions:

YIK YAK, INC. SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.

GIVEN	UNDER	MY	HAND	and	DATED	this	25th	day	of	January,	2023,	at
10:29			_ <u>a</u>	m.								
							Marshall					
							Magistrate Ju	ıdge				

Filed: 03/07/2023 15:22:53
Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Verizon Wireless Attn: Custodian of Records 180 Washington Valley Road Bedminster, NY 07921

Latah County, Idaho MPD Case No. 22-M09903 Case No. CR29-22-2805

ORDER TO SEAL

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and I.C. §74-124(1)(e), the court finds it necessary to seal the records related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) Production of such records would disclose investigative techniques and procedures. After due consideration and with good cause,

IT IS HEREBY ORDERED that the record herein shall be SEALED until further order of the court.

Dated: 3/7/2023

Megan E. Marshall Magistrate Judge In the Matter of the Application for a Search Warrant for

Verizon Wireless Attn: Custodian of Records 180 Washington Valley Road Bedminster, NY 07921

Latah County, Idaho MPD Case No. 22-M09903 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 3, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 2 un day of December, 2022. Q 9:44 am

Magistrate Jua

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SENIOR DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Verizon Wireless Attn: Custodian of Records 180 Washington Valley Road Bedminster, NY 07921

Latah County, Idaho MPD Case No. 22-M09903 Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this _\struct{5}\tau day of December, 2022.

ASHLEY S. JENNINGS

Senior Deputy Prosecuting Attorney

Filed: 03/07/2023 15:21:07

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Washington State University Office of the Registrar 1815 NE Wilson Road French Administration Building Room 346 Pullman, WA 99163

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, the court finds it necessary to seal the record related to the search warrant because it is necessary to preserve the right to a fair trial. I.C.A.R. 32(i)(2). After due consideration and with good cause,

IT IS HEREBY ORDERED that the record herein shall be SEALED until further order of the court.

Dated: 3/7/2023

Megan El Marshall Magistrate Judge

CLERK OF DISTRICT COURT
LATAH COUNTY

DEPUTY

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Washington State University Office of the Registrar 1815 NE Wilson Road French Administration Building Room 346 Pullman, WA 99163

MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and throughout the entirety of CR29-22-2805, or further order of the Court, whichever occurs first.

SO ORDERED this 25th day of January, 2023.

Magistrate Jydge

ORDER SEALING SEARCH
WARRANT AND RELATED DOCUMENTS

1

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for

Washington State University
Office of the Registrar
1815 NE Wilson Road
French Administration Building
Room 346
Pullman, WA 99163

MPD Case No. 22-M09903

Case No.

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

- 1. Interfere with enforcement proceedings;
- 2. Deprive a person of a right to a fair trial or an impartial adjudication;
- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and/or
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection throughout the entirety of CR29-22-2805.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 24th day of January, 2023.

ASHLEY S. JENNING\$

Sr. Deputy Prosecuting Attorney

In the Matter of the Application for a Search Warrant for

Google Services 1600 Amphitheater Parkway Mountain View, CA 94043 https://lers.google.com

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and I.C. §74-124(1)(e), the court finds it necessary to seal the records related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) Production of such records would disclose investigative techniques and procedures.

 After due consideration and with good cause,

IT IS HEREBY ORDERED that the record herein shall be SEALED until further order of the court.

Dated: 3/8/2023

Megan E Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Google Services 1600 Amphitheatre Parkway Mountain View, CA 94043

Latah County, Idaho MPD Case No. 22-M09903 Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 2, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 17/2/22 p 9:52 am

Mogistrate Tudge

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS SR. DEPUTY PROSECUTING ATTORNEY Latah County Courthouse P.O. Box 8068 Moscow, ID 83843 Phone: (208) 883-2246 ISB No. 8491 paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

Google Services 1600 Amphitheatre Parkway Mountain View, CA 94043 MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

- 2. Constitute an unwarranted invasion of personal privacy,
- 3. Disclose the identity of a confidential source; and
- 4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 1st day of December, 2022.

Sr. Deputy Prosecuting Attorney

In the Matter of the Application for a Search Warrant for

Google Services 1600 Amphitheater Parkway Mountain View, CA 94043 https://lers.google.com

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and I.C. §74-124(1)(e), the court finds it necessary to seal the records related to the search warrant for the following reasons:

- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) Production of such records would disclose investigative techniques and procedures. After due consideration and with good cause,

IT IS HEREBY ORDERED that the record herein shall be SEALED until further order of the court.

Dated: 3/8/2023

Megan E Marshall Magistrate Judge

In the Matter of the Application for a Search Warrant for

Google Services 1600 Amphitheater Parkway Mountain View, CA 94043 https://lers.google.com

MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 2, 2023, or further order of the Court, whichever occurs first.

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SO ORDERED 12/1/22 01:12 PM

ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS

CASE NO. ______DEPUTY

LATAH COUNTY PROSECUTOR'S OFFICE ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
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IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application for a Search Warrant for Case No.

Google Services 1600 Amphitheater Parkway Mountain View, CA 94043 https://lers.google.com MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

MPD Case No. 22-M09903

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MOTION TO SEAL SEARCH WARRANT AND RELATED DOCUMENTS

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Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this ______ day of November, 2022.

ASHLEY S. JENNINGS
Sr. Deputy Prosecuting Attorney