

OCT 09 2024

TRENT TRIPPLE, Clerk  
By ANNA MEYER  
DEPUTY

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO,

Plaintiff,

v.

BRYAN C. KOHBERGER,

Defendant.

Ada County Case No. CR01-24-31665

**REDACTED ORDER GOVERNING  
FURTHER CRIMINAL PROCEEDINGS  
AND NOTICE OF TRIAL SETTING**

IT IS HEREBY ORDERED AS FOLLOWS:

Any prior scheduling order is hereby VACATED. The following schedule will govern the pretrial matters outlined herein and the trial in this case:

**A. *Voir Dire* and Trial Setting**

- Jury questionnaires will be administered Approximately [REDACTED] 2025.
- Voir dire shall commence on July 30, 2025 at 9:00 a.m.
- The jury trial shall commence on August 11, 2025, and run through November 7, 2025, inclusive of the penalty phase, if necessary. Trial will begin each day at 8:30 a.m. and conclude at approximately 3:30 p.m. with a lunch break of approximately 45 minutes, Monday through Friday. The parties should be aware that some trial weeks may need to be shortened depending on other obligations of the court. Counsel should have sufficient evidence/witnesses ready to go each day to utilize the full day's trial schedule.
- A final pre-trial conference will be held on May 15, 2025, at 9:00 a.m. and continue May 16, 2025, if necessary. Earlier status conferences may be requested of the Court and/or initiated by the Court.

## B. Motions

- Death Penalty Motions: The State's responses to the defense motions challenging the death penalty are due October 10, 2024. The defense's reply briefs are due October 24, 2024. A hearing on the motions will be held on November 7, 2024, at 9:00 a.m.
- Discovery Motions: The last day to file motions to compel regarding any known unresolved issues is November 14, 2024.<sup>1</sup> Responses to those motions are due December 6, 2024. Replies are due December 20, 2024. A hearing on the discovery motions will be held on January 23, 2025, at 9:00 a.m. and continue the following morning at 9:00 a.m., if necessary.
- Rule 12, I.C.R. Motions: All motions governed by I.C.R. 12, including motions to suppress evidence, are due by November 14, 2024. Responses to those motions are due December 6, 2024. Replies are due December 20, 2024. A hearing on the motions will be held on January 23, 2025, at 9:00 a.m. and continue the following morning at 9:00 a.m., if necessary.
- Motions *in Limine* and Notices under I.R.E. 404(b), 608, 609: Motions *in limine* and similar motions/notices are due by February 10, 2025. Responses to those motions are due March 3, 2025. Replies are due March 17, 2025. A hearing on the motions will be held on April 3, 2025, at 9:00 a.m. and continue the following morning at 9:00 a.m., if necessary.

## C. Discovery and Expert Disclosures

- Defendant's discovery deadline is January 9, 2025.
- Experts: A list of experts the parties intend to call at trial, including a copy of the expert's report consistent with I.C.R. 16(b)(7) and a copy of the expert's curriculum vitae, shall be disclosed to the opposing party as follows:
  - State's guilt phase experts: December 18, 2024
  - Defendant's guilt phase experts: January 23, 2025

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<sup>1</sup> Counsel should not wait until this date to file discovery motions if the issue is ripe prior to the deadline. The court will provide additional response/reply and hearing dates for earlier filed motions. Discovery motions should not be delayed once the issue is known. Trial will not be postponed because of a discovery motion that could have been filed earlier.

- Rebuttal guilt phase experts: February 13, 2025
- State's penalty phase experts: January 27, 2025
- Defendant's penalty phase experts: March 31, 2025
- Rebuttal penalty phase experts: April 28, 2025.

#### **D. Trial Materials**

- Proposed jury questionnaires shall be simultaneously filed under seal by March 24, 2025. Objections are due March 31, 2025. A sealed/closed hearing on the proposed jury questionnaires will be held on April 16, 2025.
- Proposed jury instructions and trial briefs shall be filed by April 14, 2025. Objections and/or stipulations to the proposed jury instructions are due by April 21, 2025.
- Proposed exhibit lists shall be filed and exchanged by April 21, 2025. The parties must identify exhibits specifically and individually, with each exhibit referenced by the Bates number used during discovery.<sup>2</sup>
- Copies of Exhibits shall be exchanged by April 21, 2025. Each exhibit must be affixed with an exhibit number. State shall use red exhibits stickers beginning with S-1. The defense shall use blue stickers beginning with D-1. To expedite trial, each exhibit should be viewed by opposing counsel prior to trial and a determination made as to whether an objection will be lodged against the exhibit and the basis for the objection identified. On or before May 14, 2025 the parties shall jointly file a log (spreadsheet) identifying which exhibits are objected to (and the basis of the objection) and those to which there is no objection.
- Guilt phase lay witness lists shall be filed under seal by April 21, 2025. Penalty phase lay witness lists shall be filed under seal by May 5, 2025. The list of witness must identify specific individuals and not merely identify groups of people generally.

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<sup>2</sup> Exhibits may not be generally described, such as "materials disclosed in discovery" or "crime scene photos."

IT IS SO ORDERED.

DATED this 8<sup>th</sup> day of October, 2024.

  
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Steven Hippler  
District Judge

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 9<sup>th</sup> day of October, 2024, I caused a true and correct copy of the above and foregoing instrument to be mailed, postage prepaid, or hand-delivered, to:

William W. Thompson, Jr.  
Ashley Jennings  
LATAH COUNTY PROSECUTING ATTORNEY  
[paservice@latah.id.us](mailto:paservice@latah.id.us)

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Honorable Mark Monson  
ADMINISTRATIVE DISTRICT JUDGE 2<sup>nd</sup> DISTRICT  
VIA EMAIL

ADA COUNTY SHERIFF'S OFFICE  
VIA EMAIL

TRENT TRIPPLE  
Clerk of the District Court

By:   
Deputy Court Clerk

ORDER