

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

ORDER REDACTING PORTIONS OF
JANUARY 23, 2025 CLOSED HEARING
TRANSCRIPT

This matter comes before the Court on the State's Motion to Seal Proposed Redactions to January 23, 2025 Closed Hearing Transcript (Feb. 18, 2025) and Defendant's non-opposition thereto. The State has identified four categories of redactions that it asserts are appropriate under I.C.A.R. 32: 1) references to the name of a witness and roommate of the victims; 2) inquiries by Defendant related to his *Franks* motion, which the State objected to and was sustained; 3) names of Defendant's distant relatives identified through IGG, and; 4) individuals who were identified as potential relatives of Defendant through Othram Laboratory's IGG.

The Court finds that redactions are appropriate as to categories 1, 3 and 4 pursuant to I.C.A.R 32(g)(1) in that the individuals' names are exempt from public disclosure under I.C. § 74-124(1)(c) as public release would constitute an "unwarranted invasion of person privacy" as defined by I.C. § 74-101(16)(a)(ii). In addition, these redactions are warranted under I.C.A.R 32(i) given that these individuals' privacy interests predominate over the public's interest in disclosure. Publication of their identities could be highly objectionable to a reasonable person, could endanger their lives and/or safety and could jeopardize the right to a fair trial in this matter. Redaction of their names is the least restrictive measure consistent with privacy interests at issue and with preserving the integrity of the case and the right to a fair trial. Consequently, the Court ORDERS that categories 1, 3 and 4 be redacted from the January 23, 2025, Closed Hearing Transcript.

The Court does not find it appropriate to redact the information in category 2. The fact that the Court sustained the State's objection to defense counsel's inquiries does not make the

line of inquiry confidential or otherwise subject to sealing. Further the portion of the transcript in question does not reveal new or other evidence unknown to the public, the disclosure of which could jeopardize a fair trial or the ability to impanel an impartial jury. Consequently, this portion of the State's motion is DENIED. A transcript redacted consistent with this order shall be uploaded into the record in this case and made available via the Idaho Supreme Court's Cases of Interest page on its website.

IT IS SO ORDERED.

Dated this 19th day of February, 2025.



STEVEN J. HIPPLER
ADMINISTRATIVE DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on 2/20/2025, I served a true and correct copy of the
ORDER REDACTING PORTIONS OF JANUARY 23, 2025 CLOSED HEARING TRANSCRIPT

LATAH COUNTY PROSECUTING ATTORNEY'S OFFICE

WILLIAM W. THOMPSON, JR.
PROSECUTING ATTORNEY

JEFFERY D. NYE

SPECIAL ASSISTANT ATTORNEY GENERAL

VIA EMAIL: Jeff.Nye@ag.idaho.gov

ASHLEY JENNINGS

DEPUTY PROSECUTING ATTORNEY

VIA EMAIL: paservice@latahcountyid.gov

ANNE TAYLOR LAW, PLLC

ANNE C. TAYLOR

VIA EMAIL: info@annetaylorlaw.com

ELISA G. MASSOTH, PLLC

ELISA G. MASSOTH

VIA EMAIL: emassoth@kmrs.net

IDAHO STATE PUBLIC DEFENDER'S OFFICE

JAY W. LOGSDON

FIRST DISTRICT PUBLIC DEFENDER

VIA EMAIL: Jay.Logsdon@spd.idaho.gov

TRENT TRIPPLE

Clerk of the Court

By: 
Deputy Clerk 2/20/2025 2:43:26 PM