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**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.**

**CASE NUMBER CR01-24-31665**

**MOTION IN LIMINE #12**

**RE: MAKE AND MODEL OF SUSPECT  
VEHICLE**

COMES NOW, Bryan C. Kohberger, by and through his attorneys of record, and hereby moves this honorable Court to exclude at trial testimony by any State witness as to the make and model of the vehicle seen on the 1112 King Rd. surveillance footage. This Motion is made pursuant to I.R.E. 103, 104, 401, 402, 403, and 702 and further based upon Mr. Kohberger's rights

under the United States Constitution, Fifth, Sixth and Fourteenth Amendments and Article 1 Section 13 of the Idaho Constitution.

Pursuant to I.R.E. 103 and 104, this Court is required to the extent possible to limit a jury's exposure to inadmissible evidence. The State has claimed in various filings and reports that a FBI Forensic Examiner, Anthony Imel, identified the make and model of this vehicle, seen driving in the area of 1122 King Rd. in the early morning hours of November 13, 2022. The State has referred to this as Suspect Vehicle 1. The vehicle was not identified from surveillance footage in the area of 1122 King Road.<sup>1</sup>



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<sup>1</sup> The surveillance footage comes from a residence at 1112 King Road. It depicts the corner of King and Queen roads and to the house with the camera. From that footage lights from vehicles can be seen on Walenta road, a North/South roadway next to the neighborhood.



These photos are from the 1112 King Road camera. Special Agent Imel did not make a vehicle identification was not made from this footage. Rather, as noted in emails between Mr. Imel and FBI Special Agent Edward Jacobsen, it is clear that the identification of the make and model of the vehicle in this video was made via a separate video taken at 1125 Ridge Rd.

**Jacobson, Edward I. (SU) (FBI)**

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**From:** Jacobson, Edward I. (SU) (FBI)  
**Sent:** Wednesday, November 23, 2022 3:58 PM  
**To:** Imel, Anthony R. (OTD) (FBI)  
**Subject:** Re: 451 paradise stills  
**Attachments:** 0329 - 1125 Ridge Road screenshot.jpg; 0329 - 1125 Ridge Road.mp4; 0401 - 1125 Ridge Road screenshot.jpg; 0401 - 1125 Ridge Road.mp4

Got a GREAT one!

Ed Jacobson  
A/SSRA  
FBI-Coeur d'Alene RA

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There is no continuous footage linking the vehicle at the 1112 King road footage and that from Ridge road. Additional surveillance footage depicts vehicles, but not identifiable vehicles.

Thus, labeling the cars from various bits of footage as the same vehicle is speculative. Mr. Kohberger seeks an order prohibiting the state linking vehicle identification of the make and model of the vehicle in the 1112 King Rd. video based on identification of the car at 1125 Ridge Road and referring to the vehicles as Suspect Vehicle 1. The speculative nature of testifying that the vehicle is the same vehicle renders it irrelevant to these proceedings, far more unfairly prejudicial than probative. This is also a jury question and testimony calling the two vehicles the same invades the province of the jury. Thus, this Court should exclude testimony linking the two vehicles as the same.

DATED this 24 day of February, 2025.



BY:

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ANNE C. TAYLOR  
ANNE TAYLOR LAW, PLLC

### CERTIFICATE OF DELIVERY

I hereby certify that a true and correct copy of the foregoing was personally served as indicated below on the 24 day of February, 2025 addressed to:

Latah County Prosecuting Attorney – via Email: [paservice@latahcountyid.gov](mailto:paservice@latahcountyid.gov)

Elisa Massoth – via Email: [legalassistant@kmrs.net](mailto:legalassistant@kmrs.net)

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