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Elisa G. Massoth, Attorney at Law, Bar Number: 5647
Bicka Barlow, Attorney at Law, CA Bar Number: 178723
Jay W. Logsdon, First District Public Defender, Bar Number: 8759

**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

FILED UNDER SEAL

**EXHIBITS 1, 2, & 3 IN SUPPORT OF
OBJECTION TO STATE'S MOTION IN
LIMINE
RE: ADMISSIBILITY OF
DEMONSTRATIVE EXHIBITS**

COMES NOW, Bryan C. Kohberger, by and through his attorneys of record, and hereby
files under seal Exhibits 1, 2, & 3 in Support of their Objection to the State's Motion in Limine
RE: Admissibility of Demonstrative Exhibits:

- **Exhibit 1 – Defendant’s 11th Supplemental Request for Discovery**
 - **Exhibit 1A – State’s Supplemental Response to Defendant’s 11th Supplemental Request for Discovery**
- **Exhibit 2 – Email chain between Ashley Jennings, Bill Thompson, and Anne Taylor**
- **Exhibit 3 – Email chain between Bill Thompson and Anne Taylor regarding new discovery disclosure**

DATED this 17 day of March, 2025.



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 17 day of March, 2025 addressed to:

Latah County Prosecuting Attorney –via Email: paservice@latahcountyid.gov
Elisa Massoth – via Email: legalassistant@kmrs.net
Jay Logsdon – via Email: Jay.Logsdon@spd.idaho.gov
Bicka Barlow, Attorney at Law – via Email: bickabarlow@sbcglobal.net
Jeffery Nye, Deputy Attorney General – via Email: Jeff.nye@ag.idaho.gov



Anne C. Taylor, Public Defender
Kootenai County Public Defender
PO Box 9000
Coeur d'Alene, Idaho 83816
Phone: (208) 446-1700; Fax: (208) 446-1701
Bar Number: 5836
iCourt Email: pdfax@kcgov.us

Elisa G. Massoth, PLLC
Attorney at Law
P.O. Box 1003
Payette, Idaho 83661
Phone: 208-642-3797; Fax: 208-642-3799

Assigned Attorney:

Anne C. Taylor, Public Defender, Bar Number: 5836
Jay W. Logsdon, Chief Deputy Public Defender, Bar Number: 8759
Elisa G. Massoth, Attorney at Law, Bar Number: 5647

CASE NO. CR 29-22-2805
2024 January 9 1:58
CLERK OF DISTRICT COURT
LATAH COUNTY
BY Qem DEPUTY
P.M.

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

STATE OF IDAHO

Plaintiff,

V.

BRYAN C. KOHBERGER,

Defendant.

CASE NUMBER CR29-22-2805

DEFENDANT'S 11th SUPPLEMENTAL
REQUEST FOR DISCOVERY

PLEASE TAKE NOTICE that the undersigned pursuant to Rule 16 of the Idaho Criminal Rules, the Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments to the Constitution of the United States, and Article I, § 1, 2, 13 and 17 of the Constitution of the State of Idaho requests discovery and inspection of all materials discoverable by defendant per I.C.R. 16(b)(1)-(8) and

DEFENDANT'S 11th SUPPLEMENTAL REQUEST FOR DISCOVERY

Page - 1

SEALED

DEFENDANT'S
EXHIBIT NO. 1
IDENTIFICATION / EVIDENCE
CASE NO. CR01-24-31665
DATE: 3/17/25

the aforementioned Constitutional provisions including but not limited to the following information, evidence and materials outlined in Exhibit J.

DATED this 9 day of January, 2024.

ANNE C. TAYLOR, PUBLIC DEFENDER
KOOTENAI COUNTY PUBLIC DEFENDER



BY: _____

ANNE C. TAYLOR
PUBLIC DEFENDER
ASSIGNED ATTORNEY

CERTIFICATE OF DELIVERY

I hereby certify that a true and correct copy of the foregoing was personally served as indicated below on the 9 day of January, 2024 addressed to:

Latah County Prosecuting Attorney –via Email: paservice@latahcountyid.gov
Elisa Massoth – via Email: legalassistant@kmrs.net



11TH SUPPLEMENTAL REQUEST FOR DISCOVERY: EXHIBIT J

219. All audio to all video available from 1112 King. Including from 11/13/22 0:55 AM through 11/17/22. *(Audio has only been provided from 11/13/2022 at 0225 to 1205. We are seeking all audio and video that exists from this camera. We are missing sound on 11/13/2022 0055-0225; 11/13/22 1205 pm through 11/17/22 at 17:22 pm. Based upon information we have reviewed in discovery we believe there is video footage prior to 0055hrs on 11/13/23. We are requesting all footage audio and video that exist from the King Road camera prior to 0055Hrs.)*

220. Complete copy of SD card from 1112 King.

221. Surveillance camera footage from Latah County courtroom from 10/26 hearing.

222. Follow up on investigation related to Shanon Gray media sources.

223. Identity of all certified CASTViz users within the Moscow Police Department and certifications.

224. CASTViz logs showing the date and time when Officer Mowery examined the records as he documents in his 05/03/2023 supplemental report.

225. Any exhibits created by Mowery while using the CASTViz program during this examination with dates and times they were created.

226. All information, documents and data related to the AT&T Hemisphere Program, (also known as Data Analytical Services (DAS)) in the investigation of the homicides at 1122 King road in Moscow Idaho, and/or the investigation of Bryan Kohburger and/or his prosecution. This request includes, but is not limited to:

- i. The identity of any and all Law enforcement, including the FBI Cast member(s) or other official who participated in the investigation relating to this program.
- ii. The date and time of the query or record request, or any other access to AT&T or through AT&T programs.
- iii. Digital copies of all data provided as a result of the request.

227. AT&T specific records of:

- i. All inquiries made by any person, entity, governmental agencies, or internal software program pertaining to the AT&T phone number 509-592-8458.
- ii. Date of the request.
- iii. Law Enforcement official making the request.

iv. A complete copy of all data as a result of the request.

228. Complete copy of all materials relied upon by Corporal Payne in his affidavit for the Search Warrant to AT&T (2nd Warrant) issued on 12/23/2022 at 1653 hours by Judge Megan Marshall. This request includes, but is not limited to:

i. All notes, emails and reports from all law enforcement, including FBI Special Agents that specialize in cell site location.

229. All information, documents and data related to Mobile Advertiser Identification Number (MAID) Inquiries relating to the investigation of the homicides at 1122 King road in Moscow Idaho and/or the investigation of Bryan Kohburger and/ or his prosecution. This request includes, but is not limited to:

i. Disclosure of any research and/or inquiry that was done utilizing a database to determine location information, in any format, of any mobile device. This request includes specifically:

- a. Reverse Geofence Searches of MAID data.
- b. Direct location search related to MAID data.
- c. Any search to discover mobile device MAC identifiers.
- d. Any search that would produce any location data of any mobile device done outside of a previously disclosed search warrant.

230. Complete corrective actions log as indicated by Rylene Nowlin's email that would be available electronically.

231. Yearly Audit reports for ISP forensic laboratory for 2023, 2022 and 2021.

232. Idaho State Police Forensics lab accreditation – most recent full report.

233. Missing records from Kaylee Goncalves U of I file. (Documentation appears to be missing from what we have been provided. Letter from Alivia Goncalves missing pages. See pg 14004.

234. Complete recordings from MaryAnn Kohberger's contacts with all Law Enforcement, including state and local police and the FBI, including direct interviews and any recordings and all transcripts made.

235. Complete recordings from Amanda Kohberger's contacts with all Law Enforcement, including state and local police and the FBI, including direct interviews and any recording and all transcripts made.

236. Unredacted and Redacted 15221-15248 (*Numerically missing from sequence*)

237. Unredacted pages 6050-6105 (*We received redacted copy of these pages 3/20/23*)
238. Unredacted pages 8153-8169 (*We received redacted copy of these pages 4/4/23*)
239. Unredacted photos 6144-6161; 6165-6255; 6441-6453. (*We received redacted copy of these photos on 5/29/23*)
240. AV00304 (*Received 5/22/23*)
- o All of the linked media sub folders in AV00304 are empty
241. Copies of all 3D scans and photographs completed by the FBI and ISP during their visit to 1122 King Road on October 31 - November 1, 2023 to include all scans and photographs of the residence and surrounding area.
242. Updated / complete CAST Report. (CAST Report provided to defense was labeled draft dated 7/10/2023 and included no expert analysis)
243. All materials relied on or referenced in creating the CAST report. This request includes, but is not limited to FBI Special Agent Nicholas Ballance's documentation, notes, reports and copies of materials used in is investigation and analysis.
244. Copies of investigative reports, lab reports, photographs, chain of custody records and/or any other documents that exist related to the analysis of soil recovered from a shovel found inside Mr. Kohberger's vehicle. (FBI Agent Travis Shirley's Report - Request for a Solid Provenance Examination - dated 6/13/2023).
245. Copies of investigative reports, lab reports, photographs, chain of custody records and/or any other documents that exist related to the collection and analysis of soil recovered from six different sites in the Moscow/Pullman area by MPD Detective Payne on 8/2/2023 - MPD Supplemental Report #227.
246. Affidavit in support of T-Mobile search warrant.
247. Copy of records referenced in Moscow police report 250 authored by Corporal Payne.
248. Copies of all mapping data collected by FBI SA Nick Ballance and SA Sean Kennedy during all drive testing conducted between November 16, 2022, and January 6, 2023. This request includes, but is not limited to:
- i. Any and all mapping from Moscow, Idaho, areas south of Moscow, Idaho, Pullman, Washington, and areas south of Pullman, Washington.
249. All data, including mapping data, notes and reports for any drive testing conducted after January 6, 2023.

250. Copies of all training and certification records for FBI SA Nick Ballance and SA Sean Kennedy specifically related to the use of the Gladiator Autonomous Receiver (GAR).

251. Copies of the calibration record for the Gladiator Autonomous Receiver (GAR) used during the drive testing that occurred between November 16, 2022, and January 6, 2023, and the identity and certifications for those responsible for calibrating the Gladiator Autonomous Receiver (GAR) used by FBI SA Nick Ballance and SA Sean Kennedy between November 16, 2022, and January 6, 2023.

252. All case communication and correspondence for Case M2022-4870.

i. The basis for this request is as follows: On Bates Stamped pages 014364 to 014408, there were only ISPFs LIMS Reports of case correspondence listed in the communications log for M2022-4843. Since this case was cross-linked to an additional case number, M2022-4870, we request all case communication and correspondence for lab case # M2022-4870.

253. Missing case communications and correspondence for M2022-4843.

i. The basis for this request is as follows: There were several blank areas in the communication log provided

- 1.) On Bates Stamped page 0143378, there is one Email log entry by Analyst Hailey Youngling that describes multiple emails sent in efforts to coordinate AFIS search submissions with DHS, DOJ and Cal DOJ. These emails have not been provided in the Discovery material received by the Defense.
- 2.) The email associated with Bates Stamped page 143366 is missing. The log report states that there was an email type entry dated 11/16/2022 from Analyst Tina Walthall to Forensic Lab Manager Rylene Nowlin. The entry has a notation to see an attached email however, the rest of the page was blank and it was followed by another log entry on page 14367 concerning an email exchange between Jade Miller and Bill Thompson that was followed by that email exchange. Email associated with the page 143366, communications log entry is missing.
- 3.) On Bates Stamped page 143364 an email type entry is dated 11/16/2022 from Analyst Jade Miller to Forensic Lab Manager Rylene Nowlin however, the rest of the page is blank.
- 4.) On Bates Stamped page 143367 there is a blank area under the log entry.

- 5.) On Bates Stamped page 143377 there is a blank area under the log entry.
- 6.) On Bates Stamped page 143398 there is a blank area under the log entry.
- 7.) On Bates Stamped page 143404, there is a blank area under the log entry.

254. Full file System/FFS Extraction for Bethany Funke's cell phone. (Advanced logical extraction only is what was previously provided to defense.)

255. Native Phone Extraction for Dylan Mortensen's cell phone. (The defense has only previously been provided an Axiom report generated by Law Enforcement. We are seeking the data used to produce this report.)

256. Full file System/FFS Extraction for Eric Gower's cell phone. (Advanced logical extraction only is what was previously provided to defense.)

257. Full file System/FFS extraction for Kaylee Goncalves's phone after it has been unlocked. (The defense has been provided an extraction with user data encrypted due to the phone being locked. There is additional information stored in an unencrypted area on the phone that has not been provided. Please let us know what the current status of the phone is and if steps are still being taken to unlock the device.)

258. All reports, information and data, including all experts, the State has relied upon in developing the affidavits in support of all warrants.

CASE NO. CR29-22-2805
1/22/24 @ 1:30pm
DATE/TIME

LATAH COUNTY PROSECUTOR'S OFFICE
WILLIAM W. THOMPSON, JR., ISB No. 2613
PROSECUTING ATTORNEY
ASHLEY S. JENNINGS, ISB No. 8491
SENIOR DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
paservice@latahcountyid.gov

LATAH COUNTY, CLERK OF DISTRICT COURT
BY YJR
Deputy

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

STATE OF IDAHO,
Plaintiff,

V.

BRYAN CHRISTOPHER KOHBERGER,
Defendant.

Case No. CR29-22-2805

STATE'S RESPONSE TO
DEFENDANT'S 11th
SUPPLEMENTAL REQUEST
FOR DISCOVERY

TO: THE DEFENDANT BRYAN CHRISTOPHER KOHBERGER, and Counsel

Anne Taylor:

COMES NOW the State of Idaho, by and through the Latah County Prosecuting Attorney, and submits the attached Exhibit 1 in response to "Defendant's 11th Supplemental Request for Discovery" filed on January 9, 2024.

The State incorporates the following responses as fully set forth at this point:

STATE'S RESPONSE TO
DEFENDANT'S 11th SUPPLEMENTAL
REQUEST FOR DISCOVERY

1

SEALED

DEFENDANT'S
EXHIBIT NO. 1-A
IDENTIFICATION / EVIDENCE
CASE NO. CR01-24-31665
DATE: 3/17/25

CASE NO.

DATE TIME

UTAH COUNTY CLERK OF DISTRICT COURT

BY

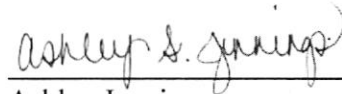
County

- “State’s Response to Request for Discovery” filed on January 23, 2023;
- “State’s Response to Defendant’s First Supplement Request for Discovery” filed on February 21, 2023;
- “State’s Response to Defendant’s Second Supplemental Request for Discovery” filed on March 29, 2023;
- “State’s Response to Defendant’s Third Supplemental Request for Discovery” filed on May 12, 2023;
- “State’s Response to Defendant’s Motion to Compel Discovery” filed on May 12, 2023;
- “State’s Supplemental Response to Defendant’s 1st, 2nd and 3rd Supplemental Requests for Discovery” filed on June 8, 2023;
- “State’s Response to Defendant’s 4th Supplemental Request for Discovery” filed on June 16, 2023;
- “State’s Supplemental Response to Defendant’s 4th Supplemental Request for Discovery” filed on June 29, 2023;
- “State’s Response to Defendant’s Second Motion to Compel Discovery” filed on June 29, 2023.
- “State’s Response to Defendant’s Third Motion to Compel Discovery” filed on July 5, 2023.
- “State’s Supplemental Response to Defendant’s 2nd Supplemental Request for Discovery and Defendant’s Motion to Compel Discovery” filed on July 12, 2023; and
- “State’s Supplemental Response to Defendant’s Second Motion to Compel Discovery” filed on July 12, 2023.
- “State’s Response to Defendant’s 5th and 6th Supplemental Requests for Discovery” filed on July 25, 2023.
- “State’s Supplemental Response to Defendant’s Third Motion to Compel Discovery” filed on August 30, 2023.

- “State’s Response to Defendant’s 7th Supplemental Request for Discovery” filed on September 6, 2023.
- “State’s Response to Defendant’s 8th and 9th Supplemental Requests for Discovery” filed on October 24, 2023.
- “State’s Response to Defendant’s 10th Supplemental Requests for Discovery” filed on November 20, 2023.

The State has and will continue to provide discovery in accordance with Idaho Criminal Rule 16 and applicable law, and reserves any and all objections thereunder.

DATED this 22nd day of January, 2024.



Ashley Jennings
Senior Deputy Prosecuting Attorney

CERTIFICATE OF DELIVERY

I hereby certify that true and correct copies of the STATE'S RESPONSE TO
DEFENDANT'S 11th SUPPLEMENTAL REQUEST FOR DISCOVERY were served on
the following in the manner indicated below:

Anne Taylor
Attorney at Law
PO Box 9000
Coeur D Alene, ID 83816-9000

- ☐ Mailed
☒ E-filed & Served / E-mailed
☐ Faxed
☐ Hand Delivered

Dated this 22nd day of January, 2024.

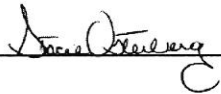


EXHIBIT 1
State's Response to "DEFENDANT'S 11TH SUPPLEMENTAL REQUEST
FOR DISCOVERY: EXHIBIT J"

The State's responses are provided in blue. The State will continue to supplement its discovery responses as additional information is received.

219. All audio to all video available from 1112 King. Including from 11/13/22 0:55 AM through 11/17/22. *(Audio has only been provided from 11/13/2022 at 0225 to 1205. We are seeking all audio and video that exists from this camera. We are missing sound on 11/13/2022 0055-0225; 11/13/22 1205 pm through 11/17/22 at 17:22 pm. Based upon information we have reviewed in discovery we believe there is video footage prior to 0055hrs on 11/13/23. We are requesting all footage audio and video that exist from the King Road camera prior to 0055Hrs.)*

Detective Mowery is currently in the process of manually extracting all audio and video available from 1112 King Road. The State has been advised this is a lengthy process. The State will provide this information to the Defense when it is available.

By way of explanation, there are two data sets for the videos: (1) original data extraction from the SD Card Image and (2) videos downloaded from the camera after seizure of the device. The forensic software used to extract the video from the SD Card resulted in no audio (i.e. this is where the -0200 hours is located). We are currently working to find software that can parse this data with the audio.

Regarding the audio for 0055 hours on 11/13/23 this is related to a file name in the screenshot 111722(2).wmv. This video was extracted from the original SD Card Image using DVR Examiner forensic software, and as explained above no audio was extracted. Until software is located that can parse this data with audio, we cannot produce the audio.

220. Complete copy of SD card from 1112 King.

This was provided to defense on the hard drive provided on 4/5/23 (file name SD Card.001)

221. Surveillance camera footage from Latah County courtroom from 10/26 hearing.

AV000856 should be on next week's hard drive.

222. Follow up on investigation related to Shanon Gray media sources.

The State has requested ISP Supplement 199 and will discover upon receipt.

223. Identity of all certified CASTViz users within the Moscow Police Department and certifications.

Forensic Detectives Lawrence Mowery and Andrew Fox are the current certified CASTViz users at Moscow Police Department. Their certificates have been discovered as:

Bates 15442-15444 should be on next week's hard drive.

224. CASTViz logs showing the date and time when Officer Mowery examined the records as he documents in his 05/03/2023 supplemental report.

The State has been advised that CASTViz does not produce logs.

225. Any exhibits created by Mowery while using the CASTViz program during this examination with dates and times they were created.

This is Exhibit 48 provided with the grand jury documents from the Court on July 3, 2023.

226. All information, documents and data related to the AT&T Hemisphere Program, (also known as Data Analytical Services (DAS)) in the investigation of the homicides at 1122 King road in Moscow Idaho, and/or the investigation of Bryan Kohburger and/or his prosecution. This request includes, but is not limited to:

- i. The identity of any and all Law enforcement, including the FBI Cast member(s) or other official who participated in the investigation relating to this program.
- ii. The date and time of the query or record request, or any other access to AT&T or through AT&T programs.
- iii. Digital copies of all data provided as a result of the request.

The State has been advised that these records do not exist.

227. AT&T specific records of:

- i. All inquiries made by any person, entity, governmental agencies, or internal software program pertaining to the AT&T phone number 509-592-8458.
- ii. Date of the request.
- iii. Law Enforcement official making the request.
- iv. A complete copy of all data as a result of the request.

This is Exhibit 47 provided with the grand jury documents from the Court on July 3, 2023. In addition, the State has provided the following:

Bates 3731-3787 discovered on 02/01/23

Bates 9001 discovered on 04/24/23

Bates 13288-13289 discovered on 05/26/23

AV000179 discovered on 04/12/23

228. Complete copy of all materials relied upon by Corporal Payne in his affidavit for the Search Warrant to AT&T (2nd Warrant) issued on 12/23/2022 at 1653 hours by Judge Megan Marshall. This request includes, but is not limited to:

- i. All notes, emails and reports from all law enforcement, including FBI Special Agents that specialize in cell site location.

The State has provided everything in its possession or control that is required by Idaho Criminal Rule 16 to be disclosed. The State will continue to supplement its discovery responses as additional information is received.

The State has been advised that the FBI relied upon the search warrant return from AT&T to provide additional information to Corporal Payne for his Affidavit.

The State will need to request e-mails in the FBI's possession via the *Touhy* process. The Office of General Counsel will review and respond accordingly.

229. All information, documents and data related to Mobile Advertiser Identification Number (MAID) Inquiries relating to the investigation of the homicides at 1122 King road in Moscow Idaho and/or the investigation of Bryan Kohburger and/ or his prosecution. This requests includes, but is not limited to:

- i. Disclosure of any research and/or inquiry that was done utilizing a database to determine location information, in any format, of any mobile device. This request includes specifically:
 - a. Reverse Geofence Searches of MAID data.
 - b. Direct location search related to MAID data.
 - c. Any search to discover mobile device MAC identifiers.
 - d. Any search that would produce any location data of any mobile device done outside of a previously disclosed search warrant.

We have been informed that the FBI will produce this item in redacted form to protect unrelated parties to the investigation.

The only MAID inquiry was to Cobwebs for devices around the crime scene address on 11/12/22 and 11/13/22. No devices of interest resulted from the search. The State will produce the redacted form upon receipt.

230. Complete corrective actions log as indicated by Rylene Nowlin's email that would be available electronically.

AV000857 should be on next week's hard drive.

231. Yearly Audit reports for ISP forensic laboratory for 2023, 2022 and 2021.

The State has requested these items from ISP and will discover upon receipt.

232. Idaho State Police Forensics lab accreditation – most recent full report.

The State has requested these items from ISP and will discover upon receipt.

233. Missing records from Kaylee Goncalves U of I file. (Documentation appears to be missing from what we have been provided. Letter from Alivia Goncalves missing pages. See pg 14004.

The University of Idaho has advised that this item does not exist. They have no record of the previous page in their system.

234. Complete recordings from MaryAnn Kohberger's contacts with all Law Enforcement, including state and local police and the FBI, including direct interviews and any recordings and all transcripts made.

AV000853 should be on next week's hard drive.

Defense was previously provided grand jury transcripts:

AV000842 discovered on 12/4/23.

235. Complete recordings from Amanda Kohberger's contacts with all Law Enforcement, including state and local police and the FBI, including direct interviews and any recording and all transcripts made.

AV000854 should be on next week's hard drive.

236. Unredacted and Redacted 15221-15248 (*Numerically missing from sequence*)

This item does not exist. Defense was provided Bates 15221-15248 on 11/15/23 and downloaded the same day. Those pages are marked "created in error."

237. Unredacted pages 6050-6105 (*We received redacted copy of these pages 3/20/23*)

This item should be on next week's hard drive.

238. Unredacted pages 8153-8169 (*We received redacted copy of these pages 4/4/23*)

This item should be on next week's hard drive.

239. Unredacted photos 6144-6161; 6165-6255; 6441-6453. (*We received redacted copy of these photos on 5/29/23*)

This item should be on next week's hard drive.

240. AV00304 (Received 5/22/23)

All of the linked media sub folders in AV00304 are empty.

The State does not have this item in its possession. MPD received these sub folders from Facebook empty.

241. Copies of all 3D scans and photographs completed by the FBI and ISP during their visit to 1122 King Road on October 31 - November 1, 2023, to include all scans and photographs of the residence and surrounding area.

The State believes AV000843 contains the 3D scans however it requires proprietary software (which the State does not have) in order to review. The State has not received any other materials related to the October 31-November 1, 2023, ISP/FBI visit to date.

242. Updated / complete CAST Report. (CAST Report provided to defense was labeled draft dated 7/10/2023 and included no expert analysis)

The State has been advised that this item exists in draft form and the final report is pending peer review. The State will disclose upon receipt.

243. All materials relied on or referenced in creating the CAST report. This request includes, but is not limited to FBI Special Agent Nicholas Balance's documentation, notes, reports and copies of materials used in his investigation and analysis.

The State has been advised that the FBI relied upon records obtained for 8458 obtained via search warrant, drive test data, and tower list data. All of these items (with the exception of item 251 and the tower list) have been previously disclosed to defense. Item 251 and the tower list have been requested and will be disclosed upon receipt.

244. Copies of investigative reports, lab reports, photographs, chain of custody records and/or any other documents that exist related to the analysis of soil recovered from a shovel found inside Mr. Kohberger's vehicle. (FBI Agent Travis Shirley's Report - Request for a Solid Provenance Examination - dated 6/13/2023).

Photos 13453-13454 should be on next week's hard drive.

Bates 15445-15446 should be on next week's hard drive.

245. Copies of investigative reports, lab reports, photographs, chain of custody records and/or any other documents that exist related to the collection and analysis of soil recovered from six different sites in the Moscow/Pullman area by MPD Detective Payne on 8/2/2023 - MPD Supplemental Report #227.

See answer to 244.

246. Affidavit in support of T-Mobile search warrant.

Bates 14205-14208 and 14209-14229

Bates 4864-4865 and 4866-4868

Bates 4835-4840 and 4841-4851

Bates 4790-4795 and 4796-4806

247. Copy of records referenced in Moscow police report 250 authored by Corporal Payne.

AV843 and AV844 discovered on 12/4/23.

248. Copies of all mapping data collected by FBI SA Nick Ballance and SA Sean Kennedy during all drive testing conducted between November 16, 2022, and January 6, 2023. This request includes, but is not limited to:

- i. Any and all mapping from Moscow, Idaho, areas south of Moscow, Idaho, Pullman, Washington, and areas south of Pullman, Washington.

AV000296 discovered on 5/18/23.

249. All data, including mapping data, notes and reports for any drive testing conducted after January 6, 2023.

AV000296 discovered on 5/18/23

250. Copies of all training and certification records for FBI SA Nick Ballance and SA Sean Kennedy specifically related to the use of the Gladiator Autonomous Receiver (GAR).

The State does not have custody or control of these records. For any expert that the State intends to introduce at trial, the State will comply as required by Rule 16(7).

The FBI has informed the State that such requests/demands for training materials are routinely made and routinely denied. See *United States v. Sanchez*, 866 F. Supp. 1542, 1549 (D. Kan. 1994) (denying defendant's request for discovery of training materials, standard operating procedures, and policies used by the highway patrol in requesting information from certain crime databases). "Thus, the defendant's request for such a broad swath of training materials—materials involving techniques, technologies, and offenses completely unrelated to this case—is overly broad, unduly burdensome, and unreasonable."

251. Copies of the calibration record for the Gladiator Autonomous Receiver (GAR) used during the drive testing that occurred between November 16, 2022, and January 6, 2023, and the identity and certifications for those responsible for calibrating the Gladiator Autonomous Receiver (GAR) used by FBI SA Nick Ballance and SA Sean Kennedy between November 16, 2022, and January 6, 2023.

The State has requested these items from the FBI and will discover upon receipt.

252. All case communication and correspondence for Case M2022-4870.

- i. The basis for this request is as follows: On Bates Stamped pages 014364 to 014408, there were only ISPFs LIMS Reports of case correspondence listed in the communications log for M2022-4843. Since this case was cross-linked to an additional case number, M2022-4870, we request all case communication and correspondence for lab case # M2022-4870.

The State has requested these items from ISP and will discover upon receipt.

253. Missing case communications and correspondence for M2022-4843.

- i. The basis for this request is as follows: There were several blank areas in the communication log provided.
 - 1.) On Bates Stamped page 0143378, there is one Email log entry by Analyst Hailey Youngling that describes multiple emails sent in efforts to coordinate AFIS search submissions with DHS, DOJ and Cal DOJ. These emails have not been provided in the Discovery material received by the Defense.

The State has requested these items from ISP and will discover upon receipt.

- 2.) The email associated with Bates Stamped page 143366 is missing. The log report states that there was an email type entry dated 11/16/2022 from Analyst Tina Walthall to Forensic Lab Manager Rylene Nowlin. The entry has a notation to see an attached email however, the rest of the page was blank and it was followed by another log entry on page 14367 concerning an email exchange between Jade Miller and Bill Thompson that was followed by that email exchange. Email associated with the page 143366, communications log entry is missing.

Bates 143366 does not exist. Bates 14365 contains an email from Rylene Nowlin to several lab staff members, including Tina Walthall, that appears to correspond with this log entry.

- 3.) On Bates Stamped page 143364 an email type entry is dated 11/16/2022 from Analyst Jade Miller to Forensic Lab Manager Rylene Nowlin however, the rest of the page is blank.

Bates 143364 does not exist. Bates 14365 contains an email from Rylene Nowlin to several lab staff members, including Jade Miller, that appears to correspond with this log entry.

- 4.) On Bates Stamped page 143367 there is a blank area under the log entry.

Bates 143367 does not exist. Bates 14367-14369 are emails between Jade Miller and Bill Thompson that appear to correspond with this log entry.

- 5.) On Bates Stamped page 143377 there is a blank area under the log entry.

Bates 143377 does not exist. The State seeks clarification for this request (there are several case entry logs on Bates 14377).

- 6.) On Bates Stamped page 143398 there is a blank area under the log entry.

Bates 143398 does not exist. Bates 14398 references an email with Jeff Talbott. 14399 contains an email between Rylene Nowlin and Jeff Talbott that appears to coincide with the entry on page 14398.

- 7.) On Bates Stamped page 143404, there is a blank area under the log entry.

Bates 143404 does not exist. Bates 14404 references discovery. Bates 14405-14406 appears to be a discovery packet printed for the Grand Jury

254. Full file System/FFS Extraction for Bethany Funke's cell phone. (Advanced logical extraction only is what was previously provided to defense.)

Advanced Logical Extraction was the only extraction completed on the phone as the full-file extraction process was not available in-house at the time MPD extracted the phone.

255. Native Phone Extraction for Dylan Mortensen's cell phone. (The defense has only previously been provided an Axiom report generated by Law Enforcement. We are seeking the data used to produce this report.)

The phone data was extracted using Magnet Axiom instead of Cellebrite UFED. Advanced Logical Extraction (Quick Image.zip) was the only extraction completed on the phone as the full-file extraction process was not available with in-house forensic software at MPD at the time. To assist with data examination, Axiom Quick Image has been parsed by UFED and provided as

AV000852 which should be available on next week's hard drive.

256. Full file System/FFS Extraction for Eric Gower's cell phone. (Advanced logical extraction only is what was previously provided to defense.)

Advanced Logical Extraction was the only extraction completed on the phone as the full-file extraction process was not available in-house at the time MPD extracted the phone.

257. Full file System/FFS extraction for Kaylee Goncalves's phone after it has been unlocked. (The defense has been provided an extraction with user data encrypted due to the phone being locked. There is additional information stored in an unencrypted area on the phone that has not been provided. Please let us know what the current status of the phone is and if steps are still being taken to unlock the device.)

MPD is still waiting on updates and/or support from forensic software providers that will hopefully allow extraction of Kaylee Goncalves' phone. To date, MPD has been unable to unlock this phone.

258. All reports, information and data, including all experts, the State has relied upon in developing the affidavits in support of all warrants.

The State has provided everything in its possession or control that is required by Idaho Criminal Rule 16 to be disclosed. The State will continue to supplement its discovery responses as additional information is received.

From: [Doris Lunceford](#)
To: [Doris Lunceford](#)
Subject: FW: Courtroom Model Exhibit
Date: Monday, March 17, 2025 9:58:48 AM

From: Anne Taylor
Sent: Monday, February 3, 2025 1:31 PM
To: Ashley Jennings <ajennings@latahcountyid.gov>
Subject: RE: Courtroom Model Exhibit

Hi Ashley

I am surprised to see this email. I did not see this 3-D model drawing in discovery nor did I see it in expert disclosures. I need a lot more information and I need to see this in person, likely with an expert. I cannot stipulate, especially without full discovery and expert opinion. Please provide all materials as well as when and where the model is available for our viewing.

Thanks,
Anne

From: Ashley Jennings <ajennings@latahcountyid.gov>
Sent: Monday, February 3, 2025 1:22 PM
To: Anne Taylor <anne@annetaylorlaw.com>
Subject: Courtroom Model Exhibit

Anne,

We would like to use a to scale 3-D model of the residence at trial. We anticipate this will be on wheels and each of the residence's floors will detach. I have included a picture of the model. Would you stipulate to the entry of this model? We intend to file a motion with the Court for its use.

Let me know.

Thanks,
Ashley



Ashley Jennings

Latah County Prosecutor's Office
Senior Deputy Prosecutor

Phone: 208.883.2246

Email: ajennings@latahcountyid.gov

522 South Adams St., Room 211
Moscow, ID 83843

Protecting Everyone's Rights

DEFENDANT'S
EXHIBIT NO. 2
IDENTIFICATION / EVIDENCE
CASE NO. CR01-24-31665
DATE: 3/17/25

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From: [Ashley Jennings](#)
To: [Anne Taylor](#)
Cc: [Stacie Osterberg](#); [Doris Lunceford](#); [Mallory Streigle](#)
Subject: Discovery Ready
Date: Thursday, March 13, 2025 2:22:28 PM

Anne,

There is a hard drive ready for you to pick up. This includes the information you requested regarding the house model:

1. Information regarding the geospatial digital elevation model. We initially had issues downloading this information but have since worked those issues out;
2. CVs for the team involved.

Separately, it also includes unredacted copies of Bates Pages 16095-16105 (you should have already received the redacted copies.)

Let me know if you have any questions or concerns.

Thanks,
Ashley



Ashley Jennings

Latah County Prosecutor's Office
Senior Deputy Prosecutor

Phone: 208.883.2246

Email: ajennings@latahcountyid.gov

522 South Adams St., Room 211
Moscow, ID 83843

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