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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

**DEFENDANT'S RESPONSE TO
STATE'S MOTION IN LIMINE**

**RE: IMPROPER DEATH PENALTY
COMMENTS**

COMES NOW, Bryan C. Kohberger, by and through his attorneys of record, and hereby responds to the State's Motion in Limine RE: Improper Death Penalty Comments.

Mr. Kohberger faces four counts of first-degree murder. The charges began with an arrest warrant and Complaint. The State chose the Grand Jury process rather than preliminary hearing,

and the Grand Jury returned the Indictment. Thereafter the State chose to file its Notice of Intent to Seek Death.

The jury selected to try Mr. Kohberger’s case will be aware the State is seeking the death penalty. They will be informed at the outset for a variety of reasons. Mr. Kohberger must have a way of conducting Voir Dire with prospective jurors; he must be able to examine witnesses and present arguments in his trial. Mr. Kohberger suggests he use phrases that comport with existing language in statute and jury instruction.¹

DATED this 17 day of March, 2025.



BY:

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



¹ The State pointed the court to ICJI 700C as how the jury would be instructed; but the jurors will also hear ICJI 700B when jury instruction are read.