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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 No. CR01-24-31665

STATE'S REPLY TO
DEFENDANT'S OBJECTION TO
STATE'S MOTION IN LIMINE
RE: ALIBI

COMES NOW the State of Idaho, by and through the Latah County Prosecuting Attorney, and submits the following reply to the March 17, 2025 "Defendant's Objection to State's Motion in Limine RE: Alibi."

The Defendant's objection/response to the State's motion offers nothing new or substantively different. In fact, Defendant appears to now acknowledge that he does not have any witnesses (potentially other than himself) to establish where the Defendant was "at the time of the alleged offense" as required by Idaho Code § 19-519 and I.C.R. 12.1: "partial corroboration does not cover the time alleged in the State's charging documents or any affidavit in support of

searching and seizing Mr. Kohberger’s person or property.” Defendant’s Objection at page 2, (emphasis added).

At best, the witness mentioned by the Defendant, Sy Ray, can only testify generally to his opinion about where the Defendant was during the early morning of November 13, 2022. Based on the evidence, we know for a fact that cellular analysis cannot show where the Defendant was “at the time of the alleged offense” as required by the applicable statute and court rule because the Defendant’s cell phone was turned off during that time.

Based on the above, and the extensive history of repeated attempts to get the Defendant to comply with the disclosure requirements of Idaho Code § 19-519 and I.C.R. 12.1, the Court should enter an order prohibiting the Defendant from presenting any evidence other than from the Defendant himself, whether by direct or cross-examination, in support of any claimed alibi regarding “the specific place or places at which the Defendant claims to have been at the time of the alleged offense” as required by the referenced statute and court rule, and as directed by the Honorable John Judge’s February 23, 2024, “Order Setting Deadlines and Hearing” and as discussed in the State’s April 26, 2024 “Response to ‘Notice of Defendant’s Supplemental Response to State’s Alibi’.”

RESPECTFULLY SUBMITTED this 21st day of March 2025.



William W. Thompson, Jr.
Prosecuting Attorney

CERTIFICATE OF DELIVERY

I hereby certify that true and correct copies of the STATE'S REPLY TO DEFENDANT'S OBJECTION TO STATE'S MOTION IN LIMINE RE: ALIBI were served on the following in the manner indicated below:

Anne Taylor
Attorney at Law
PO Box 2347
Coeur D Alene, ID 83816

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

Dated this 21st day of March 2025.


