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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 PROPOSED
SUPPLEMENTAL JURY
INSTRUCTION

COME NOW the State of Idaho, by and through the Latah County Prosecuting, and pursuant to the Court's directive contained in the first full paragraph of page 13 of the April 17, 2025, "Order on Defendant's Motion in Limine RE: Rylene Nowlin and 'touch' and 'contact' DNA," the State respectfully submits the attached draft jury instruction to be used in the event the terms "touch DNA," "contact DNA," and "trace DNA," are inadvertently used during trial.

The State acknowledges that the Court's request was to submit "a mutually

agreeable instruction . . .” However, the parties have been unable to reach agreement so the State is submitting its draft for the Court’s consideration.

RESPECTFULLY SUBMITTED this 28th day of May 2025.

A handwritten signature in black ink, appearing to read 'W. W. Thompson, Jr.', written over a horizontal line.

William W. Thompson, Jr.
Prosecuting Attorney

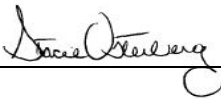
CERTIFICATE OF DELIVERY

I hereby certify that true and correct copies of the STATE'S PROPOSED SUPPLEMENTAL JURY INSTRUCTION were served on the following in the manner indicated below:

Anne Taylor
Attorney at Law
PO Box 2347
Coeur D Alene, ID 83816
info@annetaylorlaw.com

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

Dated this 28th day of May 2025.



**STATE’S REQUESTED
INSTRUCTION NO. _____**

The Court has asked that witnesses refrain from using the terms “touch DNA”, “contact DNA” and “trace DNA.” To the extent that those terms may have been mentioned by a witness, you are to disregard that particular term and not give it significance as you consider the evidence or testimony related to the use of the term.

ICJI 308 EVIDENCE LIMITED AS TO PURPOSE (modified)

GIVEN _____
REFUSED _____
MODIFIED _____
COVERED _____
OTHER _____