

Wendy J. Olson, Bar No. 7634
wendy.olson@stoel.com
Cory M. Carone, Bar No. 11422
cory.carone@stoel.com
Anders Pedersen, Bar No. 11626
anders.pedersen@stoel.com
STOEL RIVES LLP
101 S. Capitol Boulevard, Suite 1900
Boise, ID 83702
Telephone: 208.389.9000
Facsimile: 208.389.9040

Attorneys for Interested Parties

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

**MOTION TO BE HEARD AS
INTERESTED PARTIES AND MOTION
TO UNSEAL RECORDS**

AMERICAN BROADCASTING
COMPANIES, INC., D/B/A/ ABC NEWS;
THE ASSOCIATED PRESS; BONNER
COUNTY DAILY BEE; CBS NEWS; CNN;
COWLES PUBLISHING, D/B/A/ THE
SPOKESMAN-REVIEW; COEUR D'ALENE
PRESS; DAILY MAIL;
EASTIDAHONEWS.COM, LLC, D/B/A/
EAST IDAHO NEWS; FOX NEWS; IDAHO
PRESS CLUB; ION MEDIA NETWORKS,
LLC, D/B/A/ COURT TV; KXLY;
LEWISTON TRIBUNE/TPC HOLDINGS
INC.; MOSCOW-PULLMAN DAILY

MOTION TO BE HEARD AS INTERESTED PARTIES AND MOTION TO UNSEAL
RECORDS - 1

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NEWS/TPC HOLDINGS INC.; SCRIPPS MEDIA, INC., D/B/A/ KIVI-TV; SOCIETY OF PROFESSIONAL JOURNALISTS; STATES NEWSROOM, D/B/A/ IDAHO CAPITAL SUN; TEGNA; THE MCCLATCHY COMPANY, LLC, D/B/A/ THE IDAHO STATESMAN; THE NEW YORK TIMES COMPANY; NBC NEWS; NEWSNATION; and UNIVERSITY OF IDAHO STUDENT MEDIA/THE ARGONAUT,

Interested Parties.

On July 2, 2025, Brian Kohberger pled guilty to the murders of four University of Idaho students and to one count of burglary. Mr. Kohberger’s plea sharply changed the Sixth Amendment fair trial/First Amendment balance in this case and has rendered the primary justification for sealing records in this case moot. Indeed, the infringement on the First Amendment rights of the media and public through the voluminous sealing of records in this case is no longer justifiable, nor does it comport with Idaho Court Administrative Rule 32.

Rule 32 expressly allows for a “non-part[y] whose rights are affected by or who otherwise have a right to access information contained in a court file, may move to . . . unseal records in a case file.” I.C.A.R. 32(i)(1). Accordingly, a coalition of media organizations (the “Media Coalition”¹), as interested parties, respectfully move this Court for leave to file their Motion to

¹ The Media Coalition includes: American Broadcasting Companies, Inc., d/b/a/ ABC News; The Associated Press; Bonner County Daily Bee; Cable News Network Inc., d/b/a/ CNN; CBS News; Cowles Publishing, d/b/a/ The Spokesman-Review; Coeur d’Alene Press; Daily Mail; EastIdahoNews.com, LLC, d/b/a/ East Idaho News; FOX News; Idaho Press Club; Ion Media Networks, LLC, d/b/a/ Court TV; KXLY; Lewiston Tribune/TPC Holdings Inc.; Moscow-Pullman Daily News/TPC Holdings Inc.; Scripps Media, Inc., d/b/a/ KIVI-TV; Society of Professional Journalists; States Newsroom, d/b/a/ Idaho Capital Sun; TEGNA; The McClatchy Company, LLC, d/b/a/ The Idaho Statesman; The New York Times Company; NBC News; NewsNation; University of Idaho Student Media/The Argonaut; and LawNewz, Inc, d/b/a Law & Crime. The Media Coalition here is largely made up of the same media organizations that were allowed to previously intervene regarding other issues related to media access.

Unseal Records. *See id.*; *see also The Associated Press v. Second Jud. Dist.*, 172 Idaho 113, 121, 529 P.3d 1259, 1267 (2023) (“[B]oth state and federal courts often permit the media to intervene in criminal cases on a limited basis—or at least file a motion as interested parties—in the defense of public access and free speech, including in Idaho.”). The Media Coalition further requests the opportunity to present oral argument on this issue at the Court’s earliest available opening.² This Motion is supported by the accompanying memorandum and the Declaration of Rebecca Boone in Support of Motion to be Heard and Unseal Records.

DATED: July 14, 2025

STOEL RIVES LLP

/s/ Wendy J. Olson

Wendy J. Olson

Cory M. Carone

Anders Pedersen

Attorneys for Interested Parties

² There is currently a hearing set for another Media Coalition motion on Thursday, July 17, 2025. The Media Coalition recognizes that this is a different motion even though it involves overlapping issues and will likely require its own separate hearing. If the Court deems it proper, however, the Media Coalition will be prepared to discuss this motion during the July 17 hearing.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 14, 2025, I served a true and correct copy of the within and foregoing **MOTION TO BE HEARD AS INTERESTED PARTIES AND MOTION TO UNSEAL RECORD** upon the following named parties by the method indicated below, and addressed to the following:

William W. Thompson, Jr.
Prosecuting Attorney
Ashley Jennings
Senior Deputy Prosecuting Attorney
Joshua D. Hurwit
Special Deputy Prosecuting Attorney
Latah County Prosecutor's Office

☐ Hand Delivered
☐ Via Facsimile
☐ U.S. Mail
☐ Via email
☒ Via iCourt efile & serve at:
paservice@latahcountyid.gov

Anne C. Taylor
Anne Taylor Law, PLLC

☐ Hand Delivered
☐ Via Facsimile
☐ U.S. Mail
☐ Via email
☒ Via iCourt efile & serve at:
info@annetaylorlaw.com

Jeffrey D. Nye
Special Assistant Attorney General
Madison Allen
Special Assistant Attorney General

☐ Hand Delivered
☐ Via Facsimile
☐ U.S. Mail
☒ Via email
☐ Via iCourt efile & serve at:
jeff.nye@ag.idaho.gov
madison.allen@ag.idaho.gov

Jay W. Logsdon
Idaho State Public Defender's Office
First District Public Defender

☐ Hand Delivered
☐ Via Facsimile
☐ U.S. Mail
☐ Via email
☒ Via iCourt efile & serve at:
jay.logsdon@spd.idaho.gov

Elisa G. Massoth
Elisa G. Massoth, PLLC

☐ Hand Delivered
☐ Via Facsimile
☐ U.S. Mail
☐ Via email
☒ Via iCourt efile & serve at:
emassoth@kmrs.net

Bicka Barlow
Pro Hac Vice

☐ Hand Delivered
☐ Via Facsimile
☐ U.S. Mail
☐ Via email
☒ Via iCourt efile & serve at:
bickabarlow@sbcglobal.net

/s/ Wendy J. Olson
Wendy J. Olson