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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 RESPONSE TO
COURT'S "ORDER REGARDING
SEALED DOCUMENTS"

COMES NOW the State of Idaho, by and through the Latah County Prosecuting Attorney, and hereby responds pursuant to the Court's August 4, 2025, "Order Regarding Sealed Documents."

As a general matter, beginning early in the investigation, a number of individuals associated with this case were identified then subsequently harassed, stalked, and threatened by members of the public. The majority of the threatening behavior occurred via various social media platforms. There are also documented instances of identified individuals being physically followed and surveilled related to this case. There is also one instance of physical trespass of

property and one instance of property damage (i.e. vandalism). Due to this harassment, stalking and threatening behavior, previously identified individuals have had to take extraordinary actions such as filing police reports, moving residences, hiring private security guards, hiring media consultants (to track online harassment), and so forth. We are also aware of an individual who was inaccurately named as a suspect by a member of the public and then subjected to online harassment. In one instance, the harassment was to such a degree it led to a defamation suit. See *Scofield v. Guillard*.

Based on the above, the release of full names and contact information which would identify potential lay witnesses could subject these individuals to similar harassment as described above. See I.C.A.R. 32(i)(3)(A)(1) and/or (5). Releasing potential lay witnesses' names and/or addresses would constitute an "unwarranted invasion of personal privacy" as provided by Idaho Code §§ 74-124 and 74-101(17)(a)(ii). Pursuant to I.C.A.R. 32 (i)(3) the State moves that any potential lay witnesses listed in any Court documents should be redacted and pursuant to I.C.A.R. 32 (i)(3)(A)(7) that any personal data identifiers also be redacted.

The State identifies each document by date, name, and number as identified in the Order and subsequently provides the State's response to continued sealing (in blue) including any notice of non-objection as follows:

1. 7/24/25: State's Exhibits SI-5-7/23/2025 Sentencing Hearing, which include photographs of each of the deceased victims and a photograph of the six victims together (five (5) exhibits)

The State has no objection to the unsealing of these items.

2. 7/23/25: Orders Modifying/ Amending No Contact Order (seven (7) orders).

The State has no objection to the unsealing of this item. The No Contact Orders (seven) should be redacted to protect the names of the protected persons pursuant to I.C.A.R. 32(i)(3)(A)(1). In addition, personal data identifiers should be redacted including dates of birth and addresses pursuant to I.C.A.R. 32 (i)(3)(A)(7) and I.C. 74-124(1)(b).

3. 7/15/25: Opposition to Motion to Vacate Nondissemination Order.

The State has no objection to the unsealing of this item.

4. 7/9/25: SEALED Exhibit S-1 to State's Response to Defendant's 24th Supplemental Request for Discovery

The State has no objection to the unsealing of this item, but requests the following redactions to State's Exhibit S-1:

Item 441. The potential witness' name identified in this item should be redacted. The date of birth should be redacted in its entirety. In addition, the AV # should be redacted as this is attorney work product.

Item 442. The potential witnesses identified in this item should be redacted. In addition, the bates numbers for this item should be redacted as this is attorney work product.

Item 443. The potential witness identified in this item should be redacted.

Item 444. The potential witness identified in this item should be redacted.

5. 7/3/25: Sheriff's Return concerning witness K.S.F.

The State believes this was a defense filing as the State does not have a record of this filing. The State leaves the unsealing of this item to the Court's discretion.

6. 7/2/25: Guilty Plea Advisory form completed by Defendant

The State has no objection to the unsealing of this item.

7. 6/27/25: 2nd Notice of Filing Defendant's Additions/ Objections to the Juror Questionnaire.

The State has no objection to the unsealing of this item.

8. 6/27/25: Sheriff's Return concerning witness T.A.D.

The State believes this was a defense filing as the State does not have a record of this filing. The State leaves the unsealing of this item to the Court's discretion.

9. 6/26/25: SEALED Order on Defendant's Offer of Proof Re: Alternate Perpetrators (unredacted)

The State notes, that a "Redacted Order on Defendant's Offer of Proof Re: Alternate

Perpetrators” was published on 6/26/25 which redacted footnotes 2 and 4.

The State requests the following redactions to the unredacted Order:

Footnote 2: witnesses’ names should be redacted

Footnote 4: witnesses’ names should be redacted

10. 6/25/25: SEALED Exhibit W to Defendant’s 24th Supplemental Request for Discovery

The State requests the following redactions to Defendant’s Exhibit W:

Item 441. The potential witness’s name identified in this item should be redacted.
The date of birth should be redacted in its entirety.

Item 442. The potential witness’s name identified in this item should be redacted.

Item 443. The potential witness’s name identified in this item should be redacted.

Item 444. The potential witness’s name identified in this item should be redacted.

11. 6/25/25: State’s Amended Notice of Compliance and Motion to Seal State’s Amended Witness List.

The State does not object to the unsealing of this item. However, the State requests the Court redact from “ICR 16(b)(6) Witness List” the names of all non-law enforcement and/or non-lay (i.e. expert) witnesses. The following individuals were potential law enforcement or potential expert witnesses:

William Adams	Carolina Calvin	Eddie Garcia
Sean Ahearn	Brooke Chamberlin	Darren Gilbertson
Daniel Anderson	Gary Cooper	Shaine Gunderson
Jeff Anderson	Shane Cox	Nicole Heideman
Jacob Archer	Shawn Crompton	Cody Herman
Shannon	Katherine Dace	Rob Hille
Arrendondo	(White)	Kerry Hogan
James Atchley	Dawn Daniels	Ryan Hoxie
Jennie Ayers	Gary Dawson	Diana Huffman
Eric Bailey	Elizabeth	Alexandria
Nick Ballance	DeAngela	Imbriale
Wyatt Barie	Justin Deane	Anthony Imel
Heather Barnhart	Chelsey Deisher	Jessica Kelly
Jared Barnhart	Mike Douglass	Jason Knight
Dustin Blaker	Darren Duke	Michael Lang
Jennifer Braun	Kandy Florea	Roger Lanier
Vince Browning	Jason Gage	John Lawrence

Justin Leri
Vincente Lopez
Karen Lowe
Catherine Mabbutt
Cassie Macy
Taylor Maichek
Christopher Maner
Tara Martinez
Jason Maslan
William Maynard
Carol McKenna
Anne Marie
McMahon
Jade Miller
James Milar
Michael Mocadlo
Aaron Morris
Lawrence Mowery
Lennea Mueller
Timothy Mullin
Annette Murphy
Brian Noll
Anne Nord

Rylene Nowlin
Mitch Nunes
Ryan O'Neil
Brett Payne
Maureen Poulton
Hugh Powell
Alex Prostko
Rebecca Quinn
Gideon Roberts
Jonathon Rosinsky
Christopher
Rouchard
Chris Ruchert
Loreliei Schreier
Jake Schweke
Eric Seat
Jeremy Shepherd
Veena Singh
Kate Sire
Tim Smallridge
Corbin Smith
Jeff Smull
Timothy Snell

Ryan Snyder
Luke Strenier
Bransen Stirk
Paulette Sutton
Jeff Talbott
Jeff Tanzola
Joseph Traino
Justin Turrentine
Neil Uhrig
Mike Van Leuven
Dani Vargas
Tina Walthall
Eric Warner
Christian Westring
Chad Willerford
Stephanie Wilt
Jared Witmier
Shawn Wright
Matthew Wysocky
Shane Yelland
Hailey Youngling

12. 6/18/25: Court Minutes for Closed Session RE: Motion Concerning Alternate Perpetrators

The State has no objection to the unsealing of the court minutes regarding the closed session in relation to alternate perpetrators (1:25:05 p.m. to 1:36:17 p.m.)

The State objects to the unsealing of the court minutes from the closed session starting at 1:36:17 p.m. to 2:07:44 p.m. pursuant to I.C.A.R. 32(g)(1) and I.C. 74-124(a) as it involves an ongoing investigative proceeding.

The State has no objection to the unsealing of the court minutes from the closed session from 2:07:44 p.m. to 2:36:47 with the request that the potential witness' name at 2:35:45 be redacted.

13. 6/16/25: State's Motion to Seal Ex Parte Filing RE: Out of State Witnesses

The State has no objection to the unsealing of this item.

14. 6/16/25: Exhibit S-1(b) to State's Supplemental Response to Rqst for Discovery RE: Expert Testimony

The State has no objection to the unsealing of this item.

15. 6/16/25: Exhibit S-1(a) to State's Supplemental Response to Rqst for Discovery RE: Expert Testimony

The State has no objection to the unsealing of this item.

16. 6/16/25: Exhibit S-1 to State's Supplemental Response to Rqst for Discovery RE: Expert Testimony

The State has no objection to the unsealing of this item.

17. 6/13/25: Sheriff's Return concerning witness Y.R.

The State believes this was a defense filing as the State does not have a record of this filing. The State leaves the unsealing of this item to the Court's discretion.

18. 6/13/25: Defendant's Reply in Support of Motion for Access

The State objects to the unsealing of this item pursuant to I.C.A.R. 32(g)(1) and I.C. 74-124(a) as it involves an ongoing investigative proceeding. Depending upon the outcome of that proceeding there may be fair trial rights implicated pursuant to I.C. 74-124(1).

19. 6/13/25: Defendant's Reply to State's Objection to Defendant's Offer of Proof RE: Alternate Perpetrators and Defendant's Evidence in Support of Offer of Proof RE: Alternate Perpetrator.

The State does not object to the unsealing of this item so long as the potential witness's names are redacted.

20. 6/12/25: State's Motion to Amend Witness List and Supplement Expert Disclosure

The State does not object to the unsealing of this item so long as the potential witness's name is redacted.

21. 6/12/25: Notice of Filing – SEALED Defendant's Amended Exhibit Chart

The State does not object to the unsealing of this item.

22. 6/12/25: Order Sealing State's Response to Defendant's Motion Re: Special Investigation

The State does not object to the unsealing of this item.

23. 6/12/25: Order Sealing Defendant's Motion for Access and Objection to Court's Order

The State does not object to the unsealing of this item.

24. 6/11/25: Motion to Seal State's Response to Defendant's Motion Re: Special Investigation

The State does not object to the unsealing of this item.

25. 6/11/25: State's Response to Defendant's Motion RE: Special Investigation

The State leaves the unsealing of this item to the Court's discretion.

26. 6/11/25: Defendant's Objection to Release of Privileged and Confidential Work Product

The State objects to the unsealing of this item pursuant to I.C.A.R. 32(g)(1) and I.C. 74-124(a) as it involves an ongoing investigative proceeding. Depending upon the outcome of that proceeding there may be fair trial rights implicated pursuant to I.C. 74-124(1).

27. 6/11/25: Defendant's Motion for Access and Fair Investigation

The State objects to the unsealing of this item pursuant to I.C.A.R. 32(g)(1) and I.C. 74-124(a) as it involves an ongoing investigative proceeding. Depending upon the outcome of that proceeding there may be fair trial rights implicated pursuant to I.C. 74-124(1).

28. 6/11/25: Motion to Seal Defendant's Motion for Access and Objection to Court's Order

The State does not object to the unsealing of this item.

29. 6/9/25: Witness List – Defendant's 2nd Amended Phase Two Mitigation Witness List

The State does not object to the unsealing of the Defendant's 2nd Amended Phase Two Mitigation Witness List. However, the State requests the Court redact non-law enforcement potential witnesses (all witnesses identified except 22, 26, and 38). In addition, all personal data identifiers (i.e. addresses) should be redacted for the reasons outlined above.

30. 6/9/25: Order Staying Order

The State leaves the unsealing of this item to the Court's discretion.

31. 6/9/25: Order Sealing Defendant's Motion for Order for Emergency Order

The State leaves the unsealing of this item to the Court's discretion.

32. 6/9/25: Order Conditionally Denying Admission of Additional Exhibits as Evidence at Trial

The State does not object to the unsealing of this item.

33. 6/9/25: Order Granting Defense Expert Analysis of Evidence

The State does not object to the unsealing of this item.

34. 6/6/25: State's Response RE: Defendant's Motion for Independent Analysis of Evidence

The State does not object to the unsealing of this item.

35. 6/6/25: Motion for Emergency Order

The State objects to the unsealing of this item pursuant to I.C.A.R. 32(g)(1) and I.C. 74-124(a) as it involves an ongoing investigative proceeding. Depending upon the outcome of that proceeding there may be fair trial rights implicated pursuant to I.C. 74-124(1).

36. 6/6/25: Motion to Seal Defendant's Motion and Order for Emergency Order

The State does not object to the unsealing of this item.

37. 6/6/25: Stipulated Motion to the Admission of Additional Exhibits as Evidence at Trial

The State does not object to the unsealing of this item.

38. 6/6/25: Motion for Independent Analysis of Evidence

The State does not object to the unsealing of this item.

39. 6/6/25: State's Objection to "Defendant's Offer of Proof RE: Alternate Perpetrators" and "Defendant's Evidence in Support of Offer of Proof Re: Alternate Perpetrators"

The State request redactions of any potential witnesses' names in their entirety.

40. 6/5/25: Order Granting Access to Sealed Record

The State leaves the unsealing of this item to the Court's discretion.

41. 6/4/25: Exhibit S-1 to State's Supplemental Response to Defendant's Request for Discovery

For the reasons outlined above, the potential witnesses' names and their place of employment should be redacted (as addresses would easily identify the individual).

42. 6/3/25: Exhibit S-1 to State's Response to Defendant's 23rd Supplemental Request for Discovery

The State requests the following redactions to State's Exhibit S-1:

Item 438. The Bates numbers (12 references) for this item should be redacted as this is attorney work product.

Item 439. The pathways (two references) and AV number for this item should be redacted as this is attorney work product.

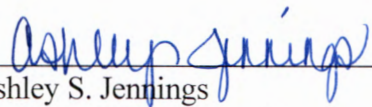
Item 440. The potential witnesses' names identified in this item should be redacted.

43. 6/2/25: Exhibit V to Defendant's 23rd Supplemental Request for Discovery

The State requests the following redactions to Defendant's Exhibit V:

Item 440. The potential witnesses' names identified in this item should be redacted.

RESPECTFULLY SUBMITTED this 18th day of August 2025.



Ashley S. Jennings
Senior Deputy Prosecuting Attorney

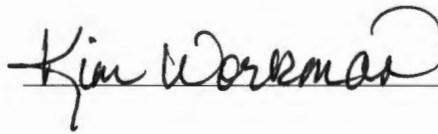
CERTIFICATE OF DELIVERY

I hereby certify that true and correct copies of the STATE'S RESPONSE TO COURT'S "ORDER REGARDING SEALED DOCUMENTS" 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 18th day of August 2025.

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