

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.

Ada County Case No. CR01-24-31665

**ORDER UNSEALING, REDACTING
AND/OR MAINTAINING SEALED
STATUS**

The unsealing of the final tranche of records identified in the *Order Regarding Sealed Documents* (Aug. 4, 2025) as #5, 8, 11, 17 and 29 is objected to at least in part by one or both parties insofar as those records disclose the names and contact information of potential lay witnesses and expert witnesses identified in this case. Citing to the persistent media scrutiny of this case and the fact that some publicly identified witnesses have previously been subject to harassment and other concerning behavior, the parties anticipate that revealing their personal identifying information would constitute an “unwarranted invasion of personal privacy” as provided by I.C. § 74-124 and 74-101(17)(a)(ii) and should be redacted pursuant to ICAR 32(i)(3)(A)(1), (3), (5) and/or (7).

Following receipt of the parties’ objections to revealing this information, the Court requested that each party submit, under seal, additional information concerning the subject witnesses, including their respective roles in the case, whether their names have been publicly disclosed and whether they have been actually subjected to harassment or threats. *Order Regarding Requested Redactions* (Aug. 26, 2025). The Court has reviewed the parties’ responses and rules as follows:

#5: 7/3/25: Sheriff’s Return concerning witness K.S.F.: There is no further justification under I.C.A.R 32(i)(3)(A) to warrant the continued sealing of this document. However, the Court orders that K.S.F.’s address be REDACTED pursuant to I.C.A.R. 32(i)(3)(A)(7).

#8: 6/27/25: Sheriff's Return concerning witness T.A.D.: There is no further justification under I.C.A.R 32(i)(3)(A) to warrant the continued sealing of this document. However, the Court orders that the stated location of T.A.D.'s new residence be REDACTED pursuant to I.C.A.R. 32(i)(3)(A)(7).

#11: 6/25/25: State's Amended Notice of Compliance and Motion to Seal State's Amended Witness List: There is no further justification under I.C.A.R 32(i)(3)(A) to warrant the continued sealing of this document and no valid basis for redactions. This document identifies the names witnesses, both expert and lay, disclosed by the State in this case. The majority of the witnesses whose names have been publicly identified have reported no threats or harassment as a result. Of the few publicly identified witnesses who have experienced past threats and harassment, they are largely individuals who had a prominent role the case. Further, there have been no reported episodes of threats or harassment that have placed a witness's life or safety in danger. In other words, there has not been a compelling showing that a person identified on a witness list will likely face threats or harassment of such a degree to outweigh the public's right to access, particularly given the time that has passed and the corresponding reduction in public furor. The public now has direct access to the most relevant evidence in the case; thus, the need to chase down all potential leads is alleviated. While some of the listed witnesses may be contacted by the media and potentially harassed or threatened, this remote potential does not justify the continued sealing of the record. Consequently, the record will be UNSEALED.


#17: 6/13/25: Sheriff's Return concerning witness Y.R.: There is no further justification under I.C.A.R 32(i)(3)(A) to warrant the continued sealing of these record and no address identified within the record that requires redaction. Thus, record will be UNSEALED.

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

There is no further justification under I.C.A.R. 32(i)(3)(A) to warrant the continued sealing of this document, which identifies the names and addresses of individuals Defendant identified as mitigation witnesses. For the same reason identified in #11, *supra*,¹ redactions are not warranted with the exception of one individual, C.E., whose health condition may render her acutely susceptible to adverse effects from even the potential of threats or harassment were her full name and address to be publicly disclosed. Therefore, it is ordered that her full name and address be REDACTED pursuant to I.C.A.R. 32(i)(3)(A)(7) and only her initials be used.

#41: 6/4/25: Exhibit S-1 to State’s Supplemental Response to Defendant’s Request for Discovery: Item 41 must remain sealed as it recites the unrelated criminal history of witnesses who did not testify in this case, which likely would have been inadmissible even if the witnesses had testified. The unsealing of this record would contravene the privacy concerns of these individuals and likely subject them to reputational harm. Thus, pursuant to ICAR 32(i)(3)(A)(1) and (7), the record shall remain SEALED.

ORDERED and DATED this 9th day of October, 2025.


Steven Hippler
District Judge

¹In addition to the reasons set forth in #11, the vast majority of individuals on this list—including some of Defendant’s relatives—did not agree to voluntarily appear as mitigation witnesses for the defense and, in fact, contested attempts to require their attendance at trial and otherwise sought to distance themselves from any association with Defendant. Consequently, the fact that they were named on Defendant’s mitigation witness list should not result in reputational harm significant enough to outweigh the public’s right to access.

CERTIFICATE OF SERVICE

I hereby certify that on 10/9/2025, I served a true and correct copy of the ORDER UNSEALING, REDACTING AND/OR MAINTAINING SEALED STATUS to:

WILLIAM W. THOMPSON, JR.
PROSECUTING ATTORNEY
VIA EMAIL: paservice@latahcountyid.gov

ASHLEY JENNINGS
SENIOR DEPUTY PROSECUTING ATTORNEY
VIA EMAIL: paservice@latahcountyid.gov

JOSHUA D. HURWIT
SPECIAL DEPUTY PROSECUTING ATTORNEY
VIA EMAIL: paservice@latahcountyid.gov

JEFFERY D. NYE
SPECIAL ASSISTANT ATTORNEY GENERAL
VIA EMAIL: jeff.nye@ag.idaho.gov

MADISON ALLEN
SPECIAL ASSISTANT ATTORNEY GENERAL
VIA EMAIL: Madison.allen@ag.idaho.gov

ANNE TAYLOR LAW, PLLC
ANNE C. TAYLOR
VIA EMAIL: info@annetaylorlaw.com

ELISA G. MASSOTH, PLLC
ELISA G. MASSOTH
VIA EMAIL: emassoth@kmrs.net

IDAHO STATE PUBLIC DEFENDER'S OFFICE
FIRST DISTRICT PUBLIC DEFENDER
JAY W. LOGSDON
VIA EMAIL: jay.logsdon@spd.idaho.gov

BICKA BARLOW
Pro Hac Vice
VIA EMAIL: bickabarlow@sbcglobal.net

TRENT TRIPPLE
Clerk of the Court

By: 
Deputy Clerk

10/9/2025 11:56:51 AM

CERTIFICATE OF SERVICE