

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the
Application for a Search
Warrant for

Dropbox Legal Compliance,
1800 Owens St, Ste. 200
San Francisco, CA 94158

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (E) and I.C. §74-124(1)(b), the court finds it necessary to seal in part and redact the record related the search warrant for the following reasons:

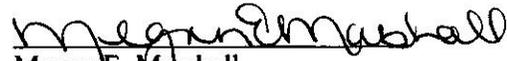
- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) It is necessary to preserve the right to a fair trial.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

1. The *Affidavit in Support of Search Warrant* is SEALED.
2. The *Search Warrant and Receipt and Inventory* be REDACTED.
3. This order will remain in effect until further order of the court.

Dated: 2/28/2023


Megan E. Marshall
Magistrate Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
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In the Matter of the
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San Francisco, CA 94158

MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH
WARRANT AND RELATED
DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and throughout the entirety of case CR29-22-2805 or further order of the Court, whichever occurs first.

SO ORDERED this 3rd day of February, 2023. @ 4:21 PM

Megan Marshall
Magistrate Judge

FEB 0 2023 AM 10:35
CLERK OF DIST. CT. LATAH

CASE NO. _____
BY _____ DEPUTY

LATAH COUNTY PROSECUTOR'S OFFICE
ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the
Application for a Search
Warrant for

Dropbox Legal Compliance,
1800 Owens St, Ste. 200
San Francisco, CA 94158

MPD Case No. 22-M09903

Case No.

MOTION TO SEAL SEARCH
WARRANT AND RELATED
DOCUMENTS

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

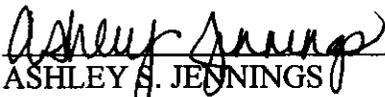
1. Interfere with enforcement proceedings;

2. Deprive a person of a right to a fair trial or an impartial adjudication;
3. Constitute an unwarranted invasion of personal privacy,
4. Disclose the identity of a confidential source; and/or
5. Disclose investigative techniques and procedures.

And the State seeks this protection throughout the entirety of case CR29-22-2805.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 3rd day of February, 2023.



ASHLEY S. JENNINGS
Sr. Deputy Prosecuting Attorney

CASE NO. _____
BY _____ DEPUTY

LATAH COUNTY PROSECUTOR'S OFFICE
ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
ISB No.8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
Dropbox Legal Compliance)	
1800 Owens St, Ste. 200)	ORDER
San Francisco, CA 94158)	
)	
<u>MPD Case No. 22-M09903</u>)	

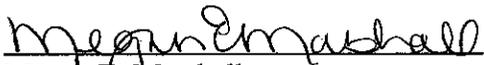
In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 2/3/2023 @ 4:21 PM.


Megan E. Marshall
Magistrate Judge

CASE NO. _____
BY _____ DEPUTY

LATAH COUNTY PROSECUTOR'S OFFICE
Ashley S. Jennings
Sr. Deputy Prosecuting Attorney
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843-0568
(208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

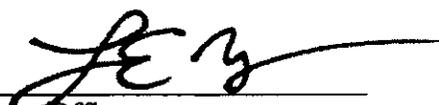
In the Matter of the Application) Case No. CR29-
for a Search Warrant for:)
Dropbox Legal Compliance) RETURN OF SEARCH WARRANT
1800 Owens St, Ste. 200)
San Francisco, CA 94158)
MPD Case No. 22-M09903)

STATE OF IDAHO)
) :ss.
County of Latah)

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 4:00 o'clock p.m., this 2 day of February, 2023.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

2/2/2023
(Date)


Peace Officer

REDACTED

AFFIDAVIT OF DET. LAWRENCE MOWERY

STATE OF IDAHO)
 :SS.
County of Latah)

I, Lawrence Mowery, being duly sworn, do hereby state the following information is true and correct to the best of my knowledge and belief:

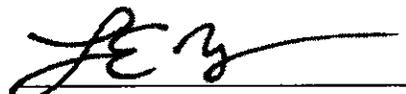
- (1) That I am employed by the Moscow Police Department in the official position of Detective;
- (2) Affidavit has been a trained and qualified peace officer for 12 years;
- (3) I currently work the day shift, 7:00 a.m. to 5:00 p.m.;
- (4) On January 25, 2023, I obtained a search warrant for Dropbox;
- (5) The warrant was served on January 30, 2023, via Dropbox Law Enforcement Portal;
- (6) On February 2, 2023, I received an email directing me to a secure download for the requested data;
- (7) I downloaded the data and an inventory was prepared for all the items received;
- (8) A copy of the inventory receipt was emailed to _____ ; and
- (9) The information received was placed into evidence at Moscow Police Department.

FURTHER your Affiant sayeth not.

Detective Lawrence Mowery - 162
Affiant

I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

February 2, 2023
(Date)


(Signature)

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

IN THE MATTER OF
THE APPLICATION
FOR A SEARCH WARRANT FOR

Dropbox Legal Compliance

1800 Owens St, Ste. 200

San Francisco, CA 94158

Case No. _____

RECEIPT AND
INVENTORY OF WARRANT

On the 30 day of January, 2023, at approximately 12:03 o'clock p.M.,
the following peace officers: Det Lawrence Mowery

served the Search Warrant heretofore issued upon the place and/or person(s) described therein as
directed in said Search Warrant. Entrance was obtained by: https://dropbox-legal.force.com/

The person(s) found in said place were: _____

The property found and taken and the location within or upon said place and/or person(s) are
as follows:

DESCRIPTION OF PROPERTY

LOCATION/PERSON

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

This Receipt and Inventory was made in the presence of: _____

A copy hereof was given to the following named person(s) on the _____ day of _____, 20__;

A copy hereof was left on this date in a conspicuous place in the place searched, there being no person(s) present during said search: _____

DATED this 2 day of February , 20 23 .

WITNESS

 Det Lawrence Mowery
PEACE OFFICER



The undersigned person(s) hereby acknowledge receiving a copy hereof on this _____ day of _____, 20__:

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application) Case No.
for a Search Warrant for:)
)
Dropbox Legal Compliance,) SEARCH WARRANT
1800 Owens St, Ste. 200)
San Francisco, CA 94158)
)
MPD Case No. 22-M009903)

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN
ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable
cause establishing grounds for issuing a search warrant and probable cause to believe property
consists of information related to the investigation of the homicide(s) of Madison Mogen,
Kaylee Goncalves, Xana Kernodle, and/or Ethan Chapin at 1122 King Road, Moscow, Idaho
on the Dropbox account of _____ with any of the following IDENTIFIERS: Email
address(es) _____ and/or _____ and/or
_____ and/or phone number _____ and/or IMEI _____

including:

- Subscriber information for the above-described account, including, but not limited to, username, account identification number, first name, last name, aliases or monikers, email address(es), phone number(s), physical and postal address, gender, date of birth or age, hometown, zip code, country, and/or general geographic area, other demographic information, user supplied profile or biographic information such as work and/or education histories, and profile picture(s), symbols or graphics provided

REDACTED

- by the subscriber to establish or maintain an account or communication channel;
- All device(s) used and otherwise associated with the subscriber's account – MEID, IMEI, IMSI, MAC, IFV, AI, UDID, Android Device ID, GSF, including numbers and activation dates;
- Records of all content transmitted to, from and/or stored on the account, including:
 - Communications, including addressing and transmission data, contents, and attached files;
 - Any photographs, videos, documents, or other data files uploaded to or from Dropbox including metadata;
 - Any photographs, videos, documents, or other data files shared with other Dropbox users, including the account information and email address(es) associated with the Dropbox account the photographs, videos, documents, or data filed shared with;
 - Published files and data, such as webpages and any component content;
 - All records and data relating to web browsing or searching, including browser type, operating systems, search terms used to find or access websites or content, website browsing history, and the dates, times and duration of such searching or browsing;
 - Contact lists, including all names, emails and contact information for all personal contained in the list;
 - Files and data tending to show who has possession dominion and control over the account;
 - All records pertaining to communications between Dropbox and any person regarding the user of the user's Dropbox account, including contacts with support services and records of actions taken;
- All stored financial information associated with the above account, including purchases made within the application/social media company, dates and times of all transactions, amounts and items purchases, credit or debit card numbers, issuing financial institution information, account holder information, billing address(es), and shipping address(es), if applicable;
- All other devices, computers, laptop computers, tablets, mobile devices, cellular phones, and wearable computers or accessories used to access the above account;
- IP logs and records of the IP addresses that logged into the account;
- Length of service to the account, including type(s) of service used, records of the date, amount, source and method of any payments to maintain the account including, any credit card or bank account number(s);
- Additional Dropbox accounts that were registered to the email address and/or phone number(s) utilized to establish the account;
- All other location data collected whether derived from internet service provider information (ISP), operating system (OS) software, HTTP cookie and tracking cookie information, Global Positioning System (GPS) data, ad Wi-Fi location (Geo-tagging);

located in or upon the following described premises:

Dropbox, Inc.
Dropbox Legal Compliance
1800 Owens Street, Ste. 200
San Francisco, CA 94158

Dropbox, Inc. should disclose responsive data by sending it to the below address or
via email to the address below:

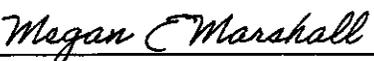
Detective Lawrence Mowery
Moscow Police Department
118 East 4th Street
Moscow, ID 83843
208-883-7062
Fax: 208-882-4020
Email:

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and to bring it promptly before the Court above named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time), AND UNDER THE FOLLOWING SPECIAL DIRECTIONS:

****THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, DROPBOX IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.**

DROPBOX SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN UNDER MY HAND and DATED this 25th day of January, 2023, at
10:20 a .m.



Megan E. Marshall
Magistrate Judge